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**Friday, March 26, 1976
Chaitra 6, 1898 (Saka)**

LOK SABHA DEBATES

**Sixteenth Session
(Fifth Lok Sabha)**



सत्यमेव जयते

LOK SABHA SECRETARIAT

NEW DELHI

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LOK SABHA DEBATES

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LOK SABHA

Friday, March 26, 1976/Chaitra 6, 1898
(Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Production of Long Staple Cotton

*261. SHRI B. S. BHAURA: Will the Minister of COMMERCE be pleased to state:

(a) whether there is surplus production of long staple cotton in the country this year; and

(b) whether Cotton Corporation of India does not have enough funds to buy the surplus cotton to protect the growers from losses due to the decline in the prices of cotton?

THE DEPUTY MINISTER IN THE
MINISTRY OF COMMERCE (SHRI
VISHWANATH PRATAP SINGH):

(a) Production estimates of long staple cotton in the country for the current year are not yet available. Therefore, the extent of surplus, if any, in the production of long staple cotton cannot be assessed realistically at this stage.

(b) The Cotton Corporation of India is to buy cotton if the prices fall below the level of support prices announced on 1.3.76.

by the Government. The present market prices are above the support prices.

SHRI B. S. BHAURA: It is very strange that the Minister has replied in a very general manner when everyone knows how last year the cotton growers were looted by the big traders when the CCI did nothing. Here it is stated that they do not have any estimate of the current year's production. But it is known that last year the production was 70-80 lakh bales, and it is expected that the carryover stock will be 24 lakh bales. Requirement by Industry is only 11 lakh bales from this, which means there is a surplus of 13 lakhs. What is Government going to do about this?

SHRI VISHWANATH PRATAP SINGH: The Cotton Advisory Board went into the question. It required some time and the Advisory Board came to the following figures: Carry-over stock from previous year 26 lakh bales, estimated production 69 lakh bales, imports 0.75 lakh bales, total availability 95.75 lakh bales. The other figures are: consumption by the textile industry 74 lakh bales, exports 4 lakh bales, ex-factory consumption 1.50 lakh bales, total demand estimated 79.50 lakh bales. The balance carried forward is 16.25 lakh bales which is normal, not much.

SHRI B. S. BHAURA: In answer to part (b), he has stated that the CCI will enter the market to purchase when prices go below the level of support prices. He must be aware of the fact that the CCI is saying that it has no funds at all to purchase. That is why last year they did not purchase. I

have pointed out that in one or two years the prices have fallen by Rs. 100 per quintal and government did not care to do anything about it, I want to know whether they are going to take any steps to ensure a fair and remunerative price to the cotton growers and not allow the traders to loot them next year.

SHRI VISHWANATH PRATAP SINGH: The prices of cotton have showed an upward trend from December to February. Varalakshmi in Guntur, in September 1975 the prices were Rs. 435 per quintal; in February it was Rs. 405. But for MCU 5, Guntur, the prices have risen from Rs. 838 in September to Rs. 402 in February this year. There was a little fall in prices in February after the second week.

SHRI B. S. BHAURA: What about Punjab?

SHRI VISHWANATH PRATAP SINGH: I have figures for Thirupur, Theni, Guntur Adoni, Virudhunagar, Abohar and Kotkapura. For all the places I can give details but it will take the time of the House. Generally there has been a rise in prices but there was a little fall in prices in the second week of February.

SHRI B. S. BHAURA: I am asking the prices in Punjab.

SHRI VISHWANATH PRATAP SINGH: For Abohar, in November 1975 the price was 265 and it rose to 289 in February in PA 320 F variety. If we take Digvijay the prevailing price is 3243; last year it was 3183. For Shankar 4, it was 4320 and in the corresponding period it was 3688..

MR. SPEAKER: That is all right do not go into too many details.

SHRI B. S. BHAURA: What about Punjab?

MR. SPEAKER: He has not that information; he has given whatever he has.

SHRI D. D. DESAI: Will the Minister tell the House whether the world market prices of cotton, particularly in the United States which was 35 cents had gone up to 65 cents in the last four or five months on account of low world production? Will he also tell us if the internal prices and internal figures of production and supply as reported by the cotton advisory committee in the past five or ten years had always proved wrong, and so will he still continue to depend upon the figures furnished by them? The physical figures of carry-over of stock were stated to be 26 lakhs; they were actually found to be 31 lakhs of bales as on 1-9-1975. Does he still stick to the discredited figure of 26 lakh bales. Actual production figures as given by him are 69 lakh bales; it is not related to reality as the actual figures are anywhere between 70 and 72 lakh bales...

MR. SPEAKER: How many questions are you asking? How can he answer all those questions and then hon. Members say: my question has not been answered. You have asked about production, about prices and now you are asking about consumption. This is not fair.

SHRI D. D. DESAI: Let him answer any one of those questions.

MR. SPEAKER: Only one question will be answered.

SHRI D. D. DESAI: Yes, Sir, whatever he can answer.

SHRI VISHWANATH PRATAP SINGH: In September, the prevalent rate in rupees per candy equivalent for Digvijay 29/32" was 3057 and in November it was Rs. 3465. So, it is correct that the American prices have gone up. About the figures of Advisory Committee, our dilemma is that we get the statistics from the Agriculture Ministry on the basis of information from the States on crop cuttings and this takes time. So we have to adopt some method by which we can make a rough assessment in which agriculture Ministry is involved, the Comptroller

mercer Ministry is involved, industry is involved, traders and growers are involved in this Advisory Committee. So, we have to have some figure to work upon. About the estimate of 69 lakh bales of production, initially it was estimated that the production will be 75 lakh bales on the basis of good rains. But later on there was an extensive damage to the crops because of excessive rains. Therefore, the production figure had to be revised as 69 lakh bales.

SHRI H. M. PATEL: I would like the Minister to explain to the House how exactly the Cotton Corporation maintains the support prices. At what point of time does the Corporation go into the market in order to see that the prices do not go below your fixed support prices? Do they go into the market before they go down below the support prices? Do they go down when the prices reach the support prices or when they are a little above it? The whole point is what is the machinery they have in order to ensure that the prices at no point of time go below the support prices.

SHRI VISHWANATH PRATAP SINGH: Sir, the support prices are announced by the Government and for 1975-76, for the various varieties, they have been announced and still the prevailing prices are above the support prices. It is not obligatory on the Cotton Corporation to go into purchases of cotton. However, when it purchases, it is for the Cotton Corporation to see whether the prices are near or below the support prices.

Enhancement of the Prices of Standard Cloth

*262. SHRI SOMNATH CHATTERJEE: Will the Minister of COMMERCE be pleased to refer to the reply given to Starred Questions No. 66 on the 9th January, 1976 regarding decision to enhance the price of standard cloth and state:

(a) on how many occasions during 1974 and 1975, prices of standard cloth

in the country have been allowed to be enhanced;

(b) extent of enhancement in percentage terms allowed on each occasion; and

(c) the reasons for enhancement in each case?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) to (c). The only increase in the prices of controlled cloth allowed after May, 1968 was made effective from 1st April, 1976, when an increase of 30 per cent was permitted over the May, 1968 price levels. The increase was permitted to partly cover the escalations in the input costs since May, 1968.

SHRI SOMNATH CHATTERJEE: In 1974 when there was an increase of 30 per cent it was permitted, to partly cover the escalations in the input-costs. But the break-up has not been given. What are the items for which this increase was allowed? So far as the controlled cloth is concerned, in 1971 the industry agreed to produce a hundred million square meters of this type of cloth, when the government agreed to give them a subsidy of 50P per sq. m. It was altered to an incentive subsidy of 90P per sq. m. on the industry agreeing to make available 10 per cent of its production of standard cloth to consumer cooperatives. But that was not done. In spite of that, in 1974 this increase was allowed. After this increase, did the quantum of production of controlled cloth go up and did you achieve the result of equitable distribution through consumer cooperatives?

SHRI VISHWANATH PRATAP SINGH: The increase in prices was allowed on the assessment of four factors—cost of cotton, cost of conversion upto grey and fabric stage, cost of processing and finishing and return to industry. While the industry claimed that on the basis of these factors the rise has been 100 per cent, the Textile Commissioner's assessment was that the

rise was 87 per cent and the government allowed only a 30 per cent increase. After this increase, an obligation was put on the industry to produce 800 million sq. m. of standard cloth. This target was achieved. About distribution through consumer co-operatives, the NCCF is integrally involved in the distribution of standard cloth.

SHRI SOMNATH CHATTERJEE: The minister vaguely referred to distribution. Whether it was satisfactory or not, he did not say. On the basis of the recent policy it appears that the textile mills will make a profit of Rs. 20 crores because production of coarse cloth is being channelised through the handloom sector. This is the estimate given in one of the economic journals. What would be the effect of this on the price fixation of ordinary textile materials or goods? Secondly, what steps is the government taking to bring about parity between cotton prices and cloth prices? What is the position and what is the expected situation? We find that the mills have already started indulging in production cut. It is said that they want to withhold additional supplies from the market by way of increased production so that they continue to get the same prices as before. Will the minister tell us what is the effect of the recent policy on the price of controlled cloth and how it will be made easily available to the general public?

SHRI VISHWANATH PRATAP SINGH: About the estimate that the industry would make a profit of Rs. 20 crores, I have no such facts. So far as we know, there has been high accumulation of stocks compared to last year, including yarn and cloth. Every month they have been consistently higher than last year. That was the difficulty of the industry. About standard cloth, through transfer of some production to handloom sector is envisaged, since the government is thinking of subsidising production of standard cloth, there will be no rise in prices of that cloth. About parity bet-

ween cotton prices and cloth prices, the figures are like these. Taking 1961-62 as the base year with index at 100, the index of raw cotton prices stood at 324.8 in October 74 and 283.3 in March, i.e. a fall of 8 per cent. The index of cloth price was 254.7 in October 74 and 233.4 in March, i.e. the fall has been of the order of about 7 per cent. If we take the cost of the cotton to be 50 per cent of the value of the produce of cloth, the reduction in raw cotton has been broadly effected in the reduction of the cloth price.

SHRI S. R. DAMANI: On account of the losses suffered by the Mills, the hon. Minister has exempted many mills under NTC and similar other mills from the obligation of manufacturing controlled cloth. Recently, he has announced a new controlled cloth policy. That means, they can purchase two powerlooms and get the cloth produced from them. Similarly, sarees and dhoties have been reserved for the handloom sector. May I know from the Minister when will this policy of manufacturing controlled cloth by powerlooms come into force and through which quarter? About sarees and dhoties by the handloom sector, when will it come into force?

SHRI VISHWANATH PRATAP SINGH: To help the handloom sector, the weaker sector of the textile industry, the Government has decided that the controlled varieties of dhoties and sarees will be reserved for the handloom sector. An official Committee with the Handloom Commissioner as the Chairman, has been appointed which will go into the question of implementation of the decision of the Government and it will be effected very soon. As for the powerloom in the controlled cloth sector, the thinking of the Government is that the obligation of the mills may be transferable to the powerlooms for the production of standard cloth but executive decision is yet to be taken.

श्री राम सिंह भार्गव : जीता अभी आप ने कास्ट धाफ प्रोडक्शन का जिक्र किया है, अभी हाल में पिछले साल काटन की प्राइस धाफ के कम्पानुसार लगभग 20 परसेंट कम हुई है और कास्ट धाफ सेबर में डी० ए० का इन्वेन्स कम हो जाने के हिसाब से टेक्स्टाइल इन्डस्ट्री में प्रति वर्कर औसतम 430 रु० पिछले साल से कमी हुई है, ऐम्बसाइज इयूटी स्क्वायर मीटर के बजाय मूल्य के ऊपर जो बवली जा रही है उससे कास्ट धाफ प्रोडक्शन कम हुआ है क्या उस को ले कर कंट्रोल बलाय प्राइस में धाफ कमी करेंगे ?

SHRI VISHWANATH PRATAP SINGH: This relates to wages. I need notice for that.

भारत पर्यटन विकास निगम द्वारा चलाये जा रहे होटलों को हुई हानि

*263. श्री मूलचन्द डागा : क्या पर्यटन और नागर बिमानन मंत्री यह बताते की कृपा करेंगे कि .

(क) भारतीय पर्यटन विकास निगम द्वारा ऐसे कौन-कौन से होटल चलाये जा रहे हैं जिन्हें वर्ष 1974-75 में हानि उठानी पड़ी ; और

(ख) इसके क्या कारण हैं ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) Out of the 13 hotels operated by India Tourism Development Corporation during 1974-75, the undermentioned hotels suffered losses:

Nam ^e of the Hotel	Amount of Loss Suffered (Rs. in Lakhs)
1. Ranjit Hotel, New Delhi.	5.33
2. Aurangabad Hotel, Aurangabad.	2.93
3. Khajuraho Hotel, Khajuraho.	0.54
4. Laxmi Vilas Palace Hotel, Udaipur.	3.07
5. Varanasi Hotel, Varanasi.	4.67
6. Kovalam Grove, Covalam.	4.74
7. Lalitha Mahal Palace Hotel, Mysore.	3.78
	25.02

(b) While the total profit earned by India Tourism Development Corporation on all its hotels has been Rs. 68.23 lakhs, some losses have been incurred on new hotel projects, since new hotel units usually have a gestation period of about five years before they start earning profits. Excepting Ranjit Hotel, the remaining hotels are in their gestation period. Hotel Ranjit was originally designed, as a hostel. A good deal of investment was required to be taken to improve its functional efficiency.

श्री मूलचन्द डागा : ऐसे मामले में अध्यक्ष महोदय, स्टेटमेंट भाना चाहिये था । सवाल यह है कि आप को जब भारत सरकार ने 16 करोड़ रु० बिना ब्याज के दे रखा है, और आज जो रकम लगती है उस पर धाफ से 10 परसेंट ब्याज लिया जाता है । तो कृपया धाफ बताइये कि कुल रकम कितनी लगी हुई है और कब मे बाटा इन होटलों में चल रहा है ? धाफ ने 1974-75 का बताया, लेकिन मैं जानना चाहता हूँ कि कितने साल के ये 6 होटल बाटे में चल रहे हैं ?

श्री सुरेन्द्र पाल सिंह : 5 होटलों में घाटा शुरू से ही चल रहा है, जब से यह चले हैं । अगर आप चाहें तो मैं तारीखें बता सकता हूँ । लेकिन 1973-74 के मुकाबले में 1974-75 में इन की हालत अच्छी हुई है । मिसाल के तौर पर जहाँ तक रणजीत होटल का सवाल है 11.96 लाख का घाटा 1973-74 में था, और 1974-75 में यह घाटा 5.33 लाख रह गया ।

श्री मूलचन्द डागा : 16 करोड़ रु० का इन्वेस्टमेंट कितना है ?

श्री सुरेन्द्रपाल सिंह : वह फिगर्स इस वक्त मेरे पास नहीं हैं, लेकिन यह कह सकता हूँ कि जितने होटल में, 13 में से 6 में नुकसान है, 7 में नहीं है । और टोटल प्रॉफिट कारपोरेशन को 68 लाख से ऊपर है ।

श्री मूलचन्द डागा : 16 करोड़ रु० पर ब्याज नहीं लिया जाता है ।

पर्यटन और नागर विमानन मंत्री (श्री राज बहादुर): ब्याज लिया जाता है, लेकिन 1 परसेंट की सबमिडी दी जाती है ।

श्री मूलचन्द डागा : ब्याज क्या लिया जाता है ?

श्री राजबहादुर : जो रेट है ।

श्री मूलचन्द डागा : आप गलत बोल रहे हैं ।

SHRI K. SURYANARAYANA: May I know whether the Government still feels that there is necessity in a poor country like ours to maintain them and have more hotels when the hotels already established are running into losses? Is the Government still planning for more hotels? If so, how much of money has the Government allocated for the new hotels in the 5th Plan?

श्री राजबहादुर : जहाँ तक आई०एफ० सी० का सम्बन्ध है जिसके जरिये लोन्स दिये

जाते हैं, जहाँ तक मेरी याददास्त है, उस के लिये 17 करोड़ का प्रोवीजन रखा गया है ।

SHRI DINESH CHANDRA GO-SWAMI: The hotels have more or less been established in places where there is already enough accommodation existing. Because they are facing stiff competition from the private hotels, there is loss. But no effort has been made to establish hotels in those places where there is a tremendous tourist potential; but people are not going there, for want of hotel accommodation. Number two: I want to know whether, in the establishment of these hotels, we are following the same pattern which we were following till now. The tourists are more keen to have cottage type of hotels. Has the Government any intention of establishing hotels in tourist spots where there is no accommodation; also would the Government provide, instead of the type of hotels which we are now having, cottage type of hotels with a cheaper accommodation?

SHRI SURENDRA PAL SINGH: The Department also makes an assessment and a survey from time to time to find out as to what is the requirement of the tourists; and it is on that basis that we decide as to what type of hotels to put up, and where. It thus depends on the requirements and the demand and the type of accommodation required by our incoming tourists. This is the basis on which we decide.

SHRI C. K. CHANDRAPAN: I would like to know from the hon. Minister whether it is a fact that the ITDC hotels are losing their business to private hotels, because of the reason that at the booking point, people are permanently kept—and those people are being paid by the private hotels for getting bookings. This is happening—I mean under-hand payment. Has the Government received such complaints from the unions? Secondly, there is no policy regarding labour-management relationship with the result that labour has no voice in the management. May I know whether

that also contributes to losses of ITDC and, if so, what measures Government would like to take in this regard?

SHRI SURENDRA PAL SINGH: I do not know which particular loss the hon. Member is referring to.

MR. SPEAKER: He has put a general question.

SHRI SURENDRA PAL SINGH: The overall position is that the ITDC is making profits, not losses. There are losses only in certain units.

MR. SPEAKER: One specific question was whether the private hoteliers make under-hand payments to encourage their own business, at the cost of the public sector hotels. His second question was whether because of lack of proper labour-management relations the ITDC is not making good profits.

SHRI RAJ BAHADUR: So far as the first question is concerned, though we have heard of the snatching away of our traffic by the private sector hotels, we have not received any specific complaints. There are reports of some underhand methods being employed by them, but we have not received any specific complaints. But we are quite on the alert. Apart from that, so far as occupancy is concerned, our hotels are not suffering. They are having good occupancy, comparable to the private sector hotels. After all, occupancy ratio is the only way in which we can judge whether we are getting business or not. That is the only criterion. In regard to that our figures are quite favourable. So, we do not think they have succeeded very much in drawing away traffic from us. It should also be realised that most of the hotels which are in the red have been in existence only for the last two or three years. The normal gestation period is five years. They are improving their position year after year by diminishing the losses. Last year it

was Rs. 56.05 lakhs and then it went down to Rs. 25.93 lakhs.

MR. SPEAKER: What about labour-management relations.

SHRI RAJ BAHADUR: We shall keep that in mind in our general policy.

Report of the Marathe Committee on Textile Industry

*264. **SHRI BHOGENDRA JHA:** Will the Minister of COMMERCE be pleased to state:

(a) whether Government have received the Report of the Marathe Committee appointed on the Textile Industry on the question of revision in the prices of controlled cloth, and

(b) if so, the main recommendations thereof and Government's decision thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Yes, Sir.

(b) The recommendations of the Marathe Committee are:—

- (i) To appoint a panel of Technologists to look into the present position of cotton mixing and to make recommendation regarding cotton mix and the need to minimise cost of production,
- (ii) An appropriate agency should be asked to undertake a detailed cost investigation of the cotton textile industry with a view to formulating revised multiplier formula.

No final decision has been taken on these specific recommendations.

SHRI BHOGENDRA JHA: May I know whether in the terms of reference or in the report itself some differentiation was made between the private sector textile mills and the NTC mills, because the NTC mills are the sick

mills taken over in that condition by the Government? Secondly, with regard to pricing also, may I know whether, in the terms of reference or report itself, there is any differentiation between the two, keeping in mind the overall profits earned by these mills?

SHRI VISHWANATH PRATAP SINGH: No such distinction was made.

SHRI BHOGENDRA JHA: May I know whether the Government have referred to the Committee the position that there has been an immense demand for the controlled cloth in the rural areas of the country and, at the same time, the textile monopolies have been raising a hue and cry that they have got huge undisposed stocks? In such a situation, I would like to know whether attempts are being made to reduce the prices as a matter of policy in order to increase the demand, so that in future we may not have this problem of lock-up or closure of the mills?

Secondly, is it also a fact that the NTC is thinking of opening its own shops, 500 or so, and if so, will that add to their loss or not? What is the necessity of opening its own shops when there are unemployed educated people who can be licensed?

SHRI VISHWANATH PRATAP SINGH: Regarding the reduction in the accumulation of controlled cloth, Government has taken various steps as a result of which the outlets have been increased from 15,420 in rural areas and 3,549 in urban areas as at the end of June, 1974, to 5,25,992 and 7,099 respectively during September/October, 1975.

The main object of the NTC opening its own outlets and showrooms is to cut the trader's profit and reach the consumer direct. By this process the NTC will be selling only within certain limits of the ex-mill gate price and the benefit will go to the consumer.

The NTC has a proposal to involve the educated unemployed in the selling of cloth. Against a certain guarantee given by the universities, the students can take cloth from the NTC and sell it. The opening of the showrooms will not add to the loss of NTC.

Lead Bank Scheme

*267. **SHRI RAGHUNANDAN LAL BHATIA:** Will the Minister of FINANCE be pleased to state:

(a) whether Lead Banks' performance has been below expectations;

(b) if so, the reasons therefor; and

(c) steps taken or proposed to be taken for the effective operation of the Lead Bank Scheme?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) to (c). A statement is laid on the Table of the House.

Statement

Recently two Study Groups set up by the Reserve Bank of India studied the working of the Lead Bank Scheme in the States of Gujarat and Maharashtra. The observations and recommendations of the Study Groups, though specially related to the working of the Scheme in the two States mentioned above, have a general applicability to the implementation of the Scheme as a whole.

The general conclusion of the Group, *inter alia*, is that while the first phase of the lead bank programme, consisting of the identification of centres offering potential for banking development and the opening of bank branches has been a success, the progress of the second and more difficult phase, consisting of formulation and implementation of area development programmes has been slow. However, it has to be kept in view that area development programme which commenced hardly

two years ago, presents greater difficulties in implementation, involving as it does collaborative efforts not only between banks but with various levels and types of Government agencies as well.

In pursuance of the recommendation of the Study Groups, the Reserve Bank have set up a Committee under the Chairmanship of one of its Deputy Governors. The Committee, among others, will attend to the following:

- (a) To issue policy guidelines for the effective functioning of the Scheme;
- (b) To examine specific problems in the implementation of the Scheme arising in different districts as reported by the banks;
- (c) To examine problems referred to it by the State Government, and Regional Offices of the Reserve Bank and to issue necessary instructions; and
- (d) To act as a reviewing authority in the matter of operation of the Lead Bank Scheme.

SHRI RAGHUNANDAN LAL BHATIA: Going through the statement, one finds that this lead bank scheme is another futile exercise of the brain of a bureaucrat sitting in Delhi, having no knowledge of the grass-roots problems of the country. After this scheme was started, some time back another committee was set up to go into the problem of its implementation. A third committee has now been set up to tell the Government how they can effectively implement it. So, may I know from the hon. Minister whether there is any scheme by which he can implement this area development scheme in a better, effective and urgent way?

SHRI PRANAB KUMAR MUKHERJEE: This scheme is not the brain wave of a bureaucrat sitting in Delhi. Two expert committees, the Gadgil Committee and later on the Nariman Committee, recommended this scheme. The third committee which the hon.

Member has mentioned is not a committee as such, but a study group appointed by the Finance Minister. When he attended the meetings of the Regional Advisory Council in Maharashtra and Gujarat, it was suggested by the Chief Minister of Maharashtra and the then Chief Minister of Gujarat that somebody should look into the functioning of the lead bank schemes which have been going on since the end of 1969. As a result, a study group was set up, and, from the report of the study group, which I have indicated partly in the text of my main answer, it will be seen that the lead banks had two functions: to bring the unbanked areas within banking operations, and to identify areas for the area development programme. So far as the first function, namely opening of branches in the rural and unbanked areas and deposit mobilisation, is concerned, the performance of the lead banks is not quite unsatisfactory. Rather it is satisfactory. So far as identification of areas for development is concerned, the scheme has been slow and they have not been able to do much and fulfil our expectations, but it will have to be kept in mind that this area development programme started just two years back.

SHRI RAGHUNANDAN LAL BHATIA: He has admitted in his reply that there has been a slow progress. I say there has been no progress at all. This is another example of lack of coordination between different branches of a particular bank in a particular area for the development of that area. May I know from the hon. Minister if he has in mind or if he is prepared to consider the reorganisation of the whole banking system so that it may become more effective and more useful for the development area?

SHRI PRANAB KUMAR MUKHERJEE: I do not know what he meant by the reorganisation of the whole banking system. But some exercise is going on, and it was indicated also by the Banking Service Commission that after nationalisation and bringing 14

scheduled commercial banks within the purview of the public sector and after looking into their functions for some time, it may be necessary to look into the question whether there is need of having all these 14 Nationalized Banks; and in that direction, we are shortly going to appoint a committee to give us their recommendations. But so far as the lead banking functions are concerned, I do agree that there is a need for greater co-operation not only between the various banks functioning in that area but between the banks and the various development agencies, more so of the State Government who are primarily responsible for the development of that area.

SHRI HARI KISHORE SINGH: Some of the constraints in the working of the banking system in the rural areas have been the amount of guarantee sought by these banks. The other point which is responsible for the low advance and the functioning of the banking system is the problem of evaluation of land taken as guarantee by the banks. This leads to corruption, which is prevalent in all the banks. It is common knowledge in the rural areas, as well as in the cities that people have to pay anything from 5 per cent to 15 per cent as bribe on the advance made by these banks. If these things are there and so long as these things remain, I don't think that any effective system of giving advance to the people in the rural areas will be effective. Finally, it is unfortunate that the assessment of the working of the lead banks has been made only in two States, that is, the State of Maharashtra and the State of Gujarat. I think there should also be an assessment of the backward States particularly in the eastern region like Bihar, Orissa and Uttar Pradesh.

SHRI PRANAB KUMAR MUKHERJEE: Though the study of the functioning of the banks was confined to a particular area, the points which he has mentioned, by and large, are com-

mon. As a result of that, we are looking into other areas in the background of the report of that study group. But, perhaps, it is not correct—as the hon. Member has unfortunately come to a conclusion—to say that officers of the banks are corrupt and they are not doing anything.

(Interruptions)

If a specific complaint comes, we can look into it. But, at the same time, it should be kept in mind that ultimately the resources of the banks are limited; but some sort of guarantee and surety would be needed. But in what case they should not insist on the security and guarantee, all these details have been discussed on the Floor of this House many a time; and we have given various schemes where there is no need for security and where the banks can use their discretion and option. All those points have been discussed.

SHRI B. V. NAIK: The hon. Minister was complimentary about the expansion of branches in the backward areas, and I am quite sure he knows that the motive force behind the expansion of branches is that the bankers and the top bosses can give jobs. That is the principal motive force as can be seen from the rapid expansion of even the non-nationalised banks. Since old habits die hard, may I know whether the Ministry of Banking, in regard to these areas development schemes, besides appointing a committee of experts, which is good in itself, will also take certain local talents, expertise, experience and know-how into account and appoint certain advisory committees to advise and assist without having any sanctioning power of loans—bank officers so that they are able to discharge their duties satisfactorily? To this request, time and again, we have got a negative reply.

SHRI PRANAB KUMAR MUKHERJEE: The motivation of expansion and to have branches in the rural areas is not to provide jobs to certain people.

Perhaps, this is an area where the hon. Members are agitated and they want more and more expansion in the rural areas. That inference is not correct. Regarding the association of local expertise, I can inform the hon. Members that this is a point which we have taken up with the State Governments. Here, it is the State Governments which have to take the initiative. In as many as 50 lead districts, non-official consultative committees are functioning where certain non-official experts of the locality are also involved. We would like to see that more and more areas are brought within the purview of the scheme. We have already taken it up with the State Governments.

पुस्तकों का निर्यात

*268. श्री शंकर बहाल सिंह : क्या वाणिज्य मंत्री यह बताते की उपा करेंगे कि :

(क) गत एक वर्ष में भारत से कितने मूल्य की पुस्तकों का निर्यात किया गया ; और

(ख) क्या सरकार पुस्तक निर्यात को प्रोत्साहन देने के लिए कोई प्रयास कर रही है ?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH)
(a) The export of books during 1974-75 was Rs. 178 lakhs.

(b) Provision of import replenishment against exports, cash compensatory support, participation in International Book Fairs, Organisation of Special Book Exhibitions abroad are some of the steps taken to encourage the exports.

श्री शंकर बहाल सिंह : पुस्तकों का एक्सपोर्ट दूसरी बाइटम्न से अलग प्रकार का है और इसी रूप में हमको इसको लेना भी चाहिये। इनके निर्यात से एक और जहाँ हम भारतीयता का प्रचार करते हैं वहाँ भारत का संदेश भी

दूसरे देशों में फैलते हैं। इससे हमें वैश्व की भाव भी होती है। दूसरी जिलगी भी बाइटम्न हैं उनके लिए जो आप कैश इंसेंटिव देते हैं उनके रेट्स क्या हैं और पुस्तकों के लिए जो कैश इंसेंटिव देते हैं उनके रेट्स क्या हैं और उन में कितना अंतर है सरकार को पुस्तकों के निर्यात में भी उतना ही इंसेंटिव देने में कौन सी आपत्ति है ?

श्री विश्वनाथ प्रताप सिंह : निर्यात के लिए दो तरह का प्रोत्साहन दिया जाता है, एक तो रिप्लेनिशमेंट और एक कैश इंसेंटिव। किताबों की कैटेगरी में जो चीजें आती हैं उनके रिप्लेनिशमेंट के जो रेट हैं वे इस प्रकार हैं :

आर्ट कैलेंडर्स पर	60 प्रतिशत
सचिव पुस्तकों पर	35 प्रतिशत
अन्य प्रकार की पुस्तकों पर, किन्तु इनके अतिरिक्त	35 प्रतिशत।

जहाँ तक कैश इंसेंटिव का प्रश्न है मैं अनुरोध करूंगा कि माननीय सदस्य प्रेस न करे क्योंकि इस में और कई चीजें आती हैं..

श्री शंकर बहाल सिंह : किताबों पर कितना देते हैं, इतना बता दें....

श्री विश्वनाथ प्रताप सिंह : कपड़े पर इससे कम देते हैं यह मैं जानता हूँ।

श्री शंकर बहाल सिंह : पिछले दो महीने से पुस्तकों आदि पर डाक व्यय बहुत बढ़ गया है एक हजार रुपये मूल्य की अगर पुस्तकें बाहर भेजी जाती हैं तो सात आठ सौ रुपये की पोस्टेज खर्च करनी पड़ जाती है। क्या इस में कमी की जाएगी? मैं यह भी जानना चाहता हूँ कि किन किन देशों में—मैंने जो प्रश्न पूछा है उसके परम्पू के अन्तर्गत—पिछले दो वर्षों में कितनी पुस्तकें यहाँ से निर्यात की गई हैं?

श्री विश्वनाथ प्रताप सिंह : जहां तक देश के अंदर डाक के रेट्स का सवाल है उससे एक्सपोर्ट में कोई फर्क नहीं पड़ता है। इसके बारे में शायद कम्युनिकेशन मंत्री बेहतर बता सकेंगे और शायद वह इस मामले पर विचार भी कर रहे होंगे। जहां तक अलग अलग देशों को निर्यात का संबंध है कुछ आंशिक इस प्रकार हैं :

आफगानिस्तान	4.63 लाख
मलेशिया	11.49 लाख
नेपाल	12.85 लाख
बंगला देश	16.06 लाख

श्री राम सहाय पांडे : जितनी पुस्तकें बाहर से यहां आती हैं उस अनुपात में यहां से नहीं जाती हैं। जो लेखक हैं जो पुस्तकों का निर्माण करते हैं, जो पुस्तकें लिखते हैं उनको प्रोत्साहित करने के लिए आप क्या कर रहे हैं ताकि पुस्तकों का निर्यात बढ़ सके ?

श्री विश्वनाथ प्रताप सिंह : यह पुस्तकों के निर्यात का प्रश्न है, माननीय सदस्य आयात की बात कर रहे हैं।

अध्यक्ष महोदय : निर्यात ज्यादा हो इसके लिये क्या प्रोत्साहन दे रहे हैं।

Setting up of self-employment Projects by Technocrats and Educated Un-employed Persons

*271. SHRI P. NARASIMHA REDDY: Will the Minister of FINANCE be pleased to state:

(a) whether representations have been made to Government regarding the impediments in setting up self-employment projects by technocrats and educated unemployed persons due to Banks' insistence on collateral 'security or surety'; and

(b) what steps have been taken or proposed to meet this situation?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). A statement is laid on the Table of the House.

Statement

Representations to the effect that some banks, while considering the loan applications of technocrats and educated unemployed persons taking up self-employment ventures, ask for collateral security or surety, have been received by Government as also by the Reserve Bank. Each one of these representations is taken up with the bank concerned for clarification and for appropriate action.

Public sector banks are, by and large, financing self-employment of technocrats and educated unemployed persons under the special schemes formulated for the purpose on liberalised terms relating to a security, margin, interests, repayment etc. on a need-based approach. The accepted policy is that in such cases banks should not insist upon collateral security as a matter of course. Assets created out of the funds borrowed from the bank are to be hypothecated to the banks. In a few cases where the banks have some doubts about the ability of the entrepreneurs to bring in their share of contribution in the project, some banks may ask for collateral security or a third party guarantee. Banks have been instructed that, as far as possible, no self-employed/small enterprise applicant should be denied credit merely for want of a third party guarantee, when the quality of the application is otherwise satisfactory.

SHRI P. NARASIMHA REDDY: May I know from the Minister whether, at the recently held meeting of the Heads of the Public Sector Banks in Delhi, this issue came up for discussion and, if so, what were the findings at the discussion and what was the solution thought of to meet this problem?

SHRI PRANAB KUMAR MUKHERJEE When we had the meeting of the Chief Executives of the Public Sector Banks, various aspects were discussed, including this also. There was no special agenda for it, but we discussed the role of the nationalised banks in this regard—that they should provide more and more assistance to see that adequately qualified and competent persons are provided with assistance for their rehabilitation programme, and various Banks are adopting various schemes to rehabilitate them.

SHRI P. NARASIMHA REDDY In the statement furnished by the Minister it is admitted that many representations in this regard have been received by the Ministry and that, as and when representations are received they are taken up with the concerned bank for clarification. I submit that this is an unpardonable position in view of the very large number of applications received and pending with the various banks. Will it not be proper for the Minister to consider making proper institutional arrangements to secure better compliance with the instructions? For example in answer to a previous question the Minister had said that there are Advisory Committees for these Branches but I am sorry to say that there are no Advisory Committees for the Branches at all. If they were constituted they could be of some help in advising or securing better compliance with these instructions. For want of such Advisory Committees and for want of institutional arrangements in this regard, many applications are being held up or being rejected exactly on this score.

SHRI PRANAB KUMAR MUKHERJEE I would like to submit for the information of the Hon. Member that the Advisory Committee which I had mentioned is not associated with the Branches, but there is a District Development Council. I am just clarifying the position that in the lead districts there are District Development Councils.

Regarding institutional arrangements, I do agree that there is need for institutional arrangements and such institutional arrangements are already there, namely the State Government machineries, the SISI and the Banks. They sit together and they try to sort out applications from entrepreneurs. But, at the same time, this fact has to be kept in mind. I would not like to make any reflection on the functioning of the State Governments, but in connection with an earlier question I had noted some figures and saw that in some State Governments where the State Directorates of Industries take care and process the applications in more detail, there the rejection is very much less—and I can say that in certain States approval of the applications is in the order of 93 per cent. But in certain State Governments we find that the rejection is 93 or 90 per cent because somehow the State Government just passes on the application without scrutiny or without screening. In such cases the number of rejections becomes more. We have already taken up this point with the State Governments to see that when an application comes from an entrepreneur the State Industries Directorate, the SISI and other allied agencies including banks can provide assistance and the rejections are reduced.

श्री श्री एन० तिवारी क्या सरकार का ध्यान इस ओर आकर्षित हुआ है कि बिहार में जो एजुकटेड ग्रन-एम्प्लायड के लिये बस के परमिट, कपडे की दुकान के परमिट और दूसरे बहुत तरह के परमिट दिये गये, वह इसलिये कार्यान्वित नहीं हो सके क्योंकि बैंकों से उनको समय पर रुपया नहीं मिल सका और उन लोग की परिेशानी बहुत बढ़ गई? इस सम्बन्ध में बिहार के मुख्यमंत्री तथा केन्द्रीय उद्योग मंत्री श्री ए० पी० लॉका की ध्यान आवाज दी कि बिहार में एन्टीग्रिन्डिड को रुपया न मिलने से बहुत दिक्कत हो रही है।

SHRI PRANAB KUMAR MUKHERJEE: This is a specific matter; I shall have to look into it.

SHRI C. T. DHANDAPANI: In regard to making loans available to the educated unemployed and other weaker sections of the people, the branches, the Bank Managers and Agents, find it difficult to advance loans to these persons for the simple reason that there will be difficulty in the matter of recovery of loans. That is why, the Bank Managers hesitate to advance loans to the weaker sections of the people. I want to cite an example. Some Harijan boys in the Madras city went to a bank for assistance for opening petrol bunks and other things, but the bank authorities sought surety from them. The Harijan boys, naturally, cannot give any surety. Therefore, they were not in a position to get loans for opening the petrol bunks. Ultimately, the Indian Oil Corporation was good enough to give these Harijan boys dealership and thus enabled them to open petrol bunks in Madras city and other parts of Tamil Nadu. In this context, I would like to know from the hon. Minister what is going to be the practical thing that he is going to adopt. There are two things: one is the difficulty of the Bank Managers in the matter of recovery of loans; and the second is surety to be given by the Harijan boys and other unemployed persons. I would like to know what steps Government is going to take to remove these difficulties.

SHRI PRANAB KUMAR MUKHERJEE: I have already explained in the text of my answer that, so far as surety is concerned, the Bank Managers have the option: if the scheme stand the scrutiny of the test of merit, they need not insist on surety.

So far as recovery is concerned, the assets created out of the assistance of the bank could be hypothecated with the bank and the bank can realise their dues from out of that. It depends on how much closer cooperation we can build between the various agencies functioning there.

SHRI BHOGENDRA JHA: The Minister must be knowing that there is a limitation on the banks that, within a radius of seven to eight kilometres, they can advance loans, if everything else is all right, and beyond that limit, even if the limit is exceeded by one or two kilometres, in spite of the fact that everything else is all right, they do not give loans. Because of this, many deserving unemployed graduates, technocrats and others, who have prepared everything and got cleared by the State Governments, are not getting the assistance and the projects are not being implemented. I want to know whether Government is going to instruct the banks that, in such cases, when the case is fit enough otherwise, the area limitation should be relaxed.

Secondly, I want to know whether Government is going to prescribe any time-limit, say two or three months, for disposal of the applications, if everything else is allright. Some one must be held accountable for that. I know of some cases for two years, in spite of the fact that everything is cleared, even the banks have cleared it, the applications have been pending, and they have been running from Madhubani to Patna. I would, therefore, like to know whether any time-limit can be prescribed in this regard.

SHRI PRANAB KUMAR MUKHERJEE: So far as the first point is concerned, it is true that there is a territorial jurisdiction attached to each branch office—a radius of ten miles. We have also given option to the local management of the branches that, if they find that the scheme is viable, they need not strictly adhere to the territorial jurisdiction, territorial limitation. I have heard of this type of complaints coming to the Members. We would issue a fresh direction to the banks to see that, based on the merits of the case, they can go beyond their territorial jurisdiction—provided it is within their managerial efficiency.

Regarding the time-limit, this is a good suggestion.

Modernisation of Textile Industry in Orissa

*272. SHRI P. GANGADEB: Will the Minister of COMMERCE be pleased to state:

(a) whether the Textile Industry in Orissa is going to be modernised to produce textiles to attract foreign markets; and

(b) if so, broad features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). No modernisation programme in respect of mills in Orissa has come to the notice of the Government.

SHRI P. GANGADEB: Since the textile industry sector—always plays a big role in our Indian economy, but, in Orissa, they need to be well-nursed and streamlined to boost better employment in the State, I would like to know what is the proportion of the allocation that is earmarked for Orissa and how it is proposed to be derived

SHRI VISHWANATH PRATAP SINGH: There are, in all, one composite mill and four spinning mills in Orissa; one is closed and one is under NTC. No separate allocation for Orissa itself is there, but the NTC, under its general programme of modernisation, is considering modernisation of the NTC mills also.

WRITTEN ANSWERS TO QUESTIONS

Investigation into Account books of Punjab, Haryana and Delhi Chamber of Commerce

265. SHRI MADHURYYA HALDAR: Will the Minister of FINANCE be pleased to state:

(a) whether the Income Tax Authorities have completed examination of the account books and vouchers seized

from the office of Punjab, Haryana and Delhi Chamber of Commerce;

(b) whether the tax officers have taken evidence of the Employees Union; and

(c) whether Delhi Administration's Labour Department and Company Law Administration have been given information about the accounts maintained by this Chamber?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) No account books or vouchers have been seized by the Income-tax authorities from the office of the Punjab, Haryana and Delhi Chamber of Commerce and Industry. However, in view of certain allegations a survey operation under section 133A of the Income-tax Act, 1961 was conducted at the office premises of the Chamber.

(b) Since no incriminating material was found, it was not considered necessary to take evidence of the Employees Union.

(c) As no incriminating material was found, the necessity of informing Delhi Administration's Labour Department and Company Law Administration did not arise.

World Bank Assistance to Assam

266. SHRI D K PANDA Will the Minister of FINANCE be pleased to state.

(a) whether World Bank has agreed to give financial aid to Assam to modernise agriculture and increased its production, and

(b) if so, the amount thereof?

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): (a) and (b). A Mission from the World Bank Group was in Assam recently for a preliminary survey to ascertain feasibility of financing a project to modernise

nise agriculture and increase production in the State. The findings of the Mission are still awaited.

Role played by L.I.C. in implementing 20-Point Economic Programme

*269. SHRI P. R. SHENOY : Will the Minister of FINANCE be pleased to state;

(a) the role played by the Life Insurance Corporation of India in implementing the 20-Point Economic Programme of the Prime Minister; and

(b) whether the L.I.C. has any plans to assist the States in implementing this programme?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) : (a) and (b). The role being played by the L.I.C. in implementing the 20-Point Economic Programme of the Prime Minister is provision of loans for housing to State Governments, HUDCO, Apex Co-Operative Housing Finance Societies of various States and to individuals under OYH and mortgage scheme under its various housing schemes. It also provides loans to State Electricity Boards for greater generation of power and to Municipalities for water supply and sewerage schemes. It also helps indirectly the agricultural sector, irrigation projects and small scale industry through its contribution to the market borrowings of the State Governments, subscription to bonds of co-operative land development banks and statutory financial corporations. It also helps in creating employment opportunities by giving loans to public limited companies in private sector.

अन्नक उद्योग

*270. श्री राजबल्लभ आर्य : क्या वाणिज्य मंत्री यह बताते की क्या करके कि :

(क) क्या बिहार के निरीक्षी और हुजारीगढ़ क्षेत्रों में अन्नक उद्योग में मंदी आ गई है ;

(ख) क्या मंदी के कारण अन्नक की खानों के बंद होने का खतरा पैदा हो गया है ; और

(ग) इस उद्योग को मंदी से बचाने के लिए सरकार ने क्या उपाय किये हैं ?

वाणिज्य मन्त्रालय में उपमन्त्री (श्री विश्वनाथ प्रताप सिंह) : (क) से (ग) : 1975-76 के दौरान साधित अन्नक के निर्यात 16 करोड़ २० मूल्य के होने की संभावना है जबकि विगत वर्ष में ये 18.18 करोड़ २० के थे। तथापि, अखिल भारतीय निर्यातों में 12 प्रतिशत की संभावित गिरावट की तुलना में बिहार से होने वाले निर्यातों में 9 प्रतिशत गिरावट आने की संभावना है। इस वर्ष कम निर्यात होने का कारण विश्व में सामान्य मंदी है। 1975-76 के दौरान निर्यातों में हुई इस स्थाई गिरावट की क्षतिपूर्ति करने के लिए 1976-77 के दौरान अन्नक की सन्तुष्टि के लिए पर्याप्त क्रयदेश मिले हुए है।

Estimate of Gold, Jewellery and other Metals lying in Temples

*273. DR. RANEN SEN Will the Minister of FINANCE be pleased to state:

(a) whether Government have made any estimate of gold, jewellery and other costly metals lying in various temples in India;

(b) if so, the outcome thereof; and

(c) Government's plan to utilise the same for nation building activities?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE) : (a) and (b). 15,472 Kgs. of gold in all forms was declared as on 30th June, 1975, under section 16 of the Gold (Control) Act, 1968, by religious institutions including temples. This quantity does not include such gold as may be held

religious institutions within the exemption limit of two kgs. for which no declaration is required to be made information regarding jewellery other than of gold and other costly metals in the possession of such institution is not available

(c) There is no such plan at present Gold Control Act, 1968 does not give any power to the Government to direct the utilisation of gold ornaments and articles so long as these are declared and are kept in the religious institution for its use or are used as ornaments for the deity or idol or are sold to a licensed dealer or a refiner

Detection of Sub-Standard Fabrication in Machinery meant for Export

*274 SHRI D D DESAI Will the Minister of COMMERCE be pleased to state

(a) whether sub standard fabrication in machinery meant for export was detected at the National Test House, Calcutta, and

(b) the steps taken to impose strict quality control on export items of engineering goods?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH) (a) No, Sir

(b) A large number of engineering products have been brought under compulsory quality control and pre shipment inspection under the Export (Quality Control and Inspection) Act, 1963

Export of Drugs to USSR

*275 SHRI RAJDEO SINGH
SHRIMATI ROZA DESHPANDE

Will the Minister of COMMERCE be pleased to state

(a) whether an order for the export of drugs worth Rs 255 crores to

USSR was received by Sandoz recently,

(b) whether USSR is the only country to import the drugs and medicines from India or other countries also do so, and

(c) if so, the names of those countries?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) Yes, Sir

(b) and (c) Apart from USSR the other major importing countries are Sri Lanka, Federal Republic of Germany, Hongkong, Japan, Nepal, Nigeria, Switzerland, Thailand, U.K. USA.

Activities of LIC in Rural Areas

*276 SHRI N K SANGHI Will the Minister of FINANCE be pleased to state

(a) whether the LIC has so far confined its activities to cities and has not taken any step to go to the rural areas, and

(b) if so, the steps if any, proposed to be taken in this connection?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI) (a) No, Sir. The LIC has been writing substantial business in the rural areas

(b) The steps taken by the LIC to spread life insurance business in the rural areas include the following —

(i) Progressive strengthening of the rural organisation—opening of new offices and upgrading of existing ones—coupled with decentralisation of functions, to improve servicing.

(ii) Encouraging new agents in rural areas by prescribing a

lower minimum guarantee of business for rural agents.

- (iii) Field publicity through visits by Development Officials and publicity vans, film shows, participation in fairs and festivals and distribution of publicity material.
- (iv) Intensive development efforts in selected rural areas believed to have particularly benefited from Green Revolution, by way of expanding the field organisation and intensification of publicity efforts.
- (v) Raising of limit for non-medical (General) scheme to Rs. 5,000.
- (vi) Fixing of lower qualifications for the appointment of Medical Examiners in rural areas.
- (vii) Simplification of procedures for admission of age.
- (viii) Extensive collection arrangements with branches of the scheduled banks and special arrangements with post offices in selected places for collection of premiums from policyholders in areas where banking facilities are not available.
- (ix) Scheme for training the retired JCOs and NCOs to work as agents in rural areas of their choice.

2. The following steps are under consideration of the LIC:

- (i) A sample survey in selected districts to ascertain people's attitude to savings in general and life insurance in particular.
- (ii) A pilot scheme for appointment of career agents in rural areas who would for the first two years get stipends in addition to commission.
- (iii) Examination in depth of the feasibility of introducing a

group insurance scheme for the the land holders.

Suggestion from Engineering Industry for Upward Revision of Export Target

*277. SHRIMATI PARVATHI KRISHNAN: Will the Minister of COMMERCE be pleased to state:

(a) whether the Engineering Industry has suggested upward revision of export target; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE, (SHRI VISHWANATH PRATAP SINGH):

(a) Originally, the Engineering Export Promotion Council had fixed a target of Rs. 430 crores for export of engineering goods during 1976-77. This has now been raised to Rs. 500 crores by them.

(b) The target of Rs. 500 crores has been broken up as follows:

(R. in crores)

(a) Capital goods . . .	177.00
(b) Primarily steel and pig iron based items . . .	114.50
(c) Non-ferrous products . . .	16.00
(d) Consumer durables . . .	192.50

TOTAL . . . 500.00

Export Activities of S.T.C. and M.M.T.C.

*278. SHRI S R. DAMANI: Will the Minister of COMMERCE be pleased to state:

(a) the outlines of new grounds broken by State Trading Corporation and Minerals and Metals Trading Corporation to increase their export activities in current year;

(b) the specific additional items and markets in which they have been successful; and

(c) the special efforts made to stabilise and/or introduce Indian goods in markets of developing countries?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) to (c):

STATE TRADING CORPORATION (STC).

During the current financial year, the exports of STC are likely to be of the order of about Rs. 740 crores which would be about 30 per cent more than the exports made during 1974-75. During the current year, there has been an increase in the exports of commodities like sugar, cement, army software, etc., as compared to the last year. New items handled by STC include silver, linseed oil, sesame seeds and sodium sulphate. Exports in respect of certain commodities have been made to new destinations like Iraq, G.D.R., France, Finland, Hongkong and Malaysia. In order to take maximum advantage of the growing buying potential of the West Asian region, special efforts were successfully directed to increase exports to this region. Exports to U.S.A. and West Europe also increased substantially. During the current year, STC's exports to developing countries are estimated in the region of Rs. 420 crores as against Rs. 337 crores during 1974-75.

MINERALS AND METALS TRADING CORPORATION (MMTC).

During the current financial year, the export of MMTC are estimated to be of the order of about Rs. 165 crores which would be about 20 per cent more than exports during 1974-75. During this year, new ground has been broken by MMTC also. A ten-year long-term agreement for supply of 3 million tonnes of super high grade iron ore has been concluded with South Korea. A contract for supply of 50,000 tonnes of iron to Yugoslavia has also been concluded. Apart from supply of iron ore to steel

industry, MMTC has also seized opportunities for exporting iron ore to other countries where it is used for mixing purposes, e.g., the cement industry. A shipment of 11,000 tonnes of iron ore fines was made to Iraq on cost and freight basis for this purpose. MMTC scored several successes in the matter of sale prices of iron ore to destinations in East Europe and West Europe. As regards manganese ore, apart from consolidating its position in the markets of Taiwan and South Korea, MMTC has broken new ground in the Greek market and recaptured markets in Spain and South Korea. As regards coal, MMTC is planning to enter markets in West Europe, Japan, Egypt, Hongkong, Taiwan and Singapore, with a view to diversifying and broad-basing exports. At the same time, the Corporation is sustaining its export of coal to the neighbouring countries of Bangladesh, Burma, Nepal and Sri Lanka.

Setting up of Regional Rural Banks in Hilly and Backward States

*279. PROF NARAIN CHAND PARASHAR: Will the Minister of FINANCE be pleased to state whether any priority is proposed to be given to hilly and backward States in opening of Regional Rural Banks in the country?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): In establishing Regional Rural Banks in the country, priority will be given to those areas which, while having good potential for agricultural development, are cooperatively backward and are inadequately served by commercial banks.

Direct Air Services to State Capitals

*280. SHRI K. PRADHANI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have any programme to have direct air services to all State capitals; and

(b) if so, when these will be introduced?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) and (b). Indian Airlines are at present operating air services to Capitals of States/Union Territories except the following:—

Name of the State/ Union Territory	Capital
Dadra & Nagar Haveli	Silvassa
Himachal Pradesh	Simla
Meghalaya	Shillong
Nagaland	Kohima
Mizoram	Aizawl
Lakshadweep	Kavaratti
Pondicherry	Pondicherry
Arunachal Pradesh	Itanagar
Sikkim	Gangtok

The Corporation have no plans to operate air services to the above Capitals/Union Territories for the present.

Promotion of tourism in Sikkim

1352. **SHRI S. K. RAI:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state whether Government are contemplating to take any further steps to promote tourism in Sikkim in addition to the provisional schemes included in State's annual plan for 1976-77?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): No tourism schemes, in addition to those included in the State's Annual Plan 1976-77, are contemplated for the present.

Decline in Expenditure of Centre and States on Development Works

1353. **SHRI SAMAR GUHA:** Will the Minister of FINANCE be pleased to state:

(a) whether expenditure on development works made by the Centre and other States declined from 60 per cent to 48 per cent approximately by the end of 1973-74;

(b) if so, the reasons for decline in such expenditure;

(c) whether during the same period decline in capital formation has also been recorded from 48 per cent to 33 per cent approximately;

(d) if so, the reasons for such decline; and

(e) the steps taken or proposed by Government enhancing capital formation and expenditure on development works?

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): (a) to (e). A statement giving the necessary data for the Fourth Plan period ending 1973-74 is laid on the Table of the House. [Placed in Library. See No. LT-10548/76].

During this period, the proportion of developmental expenditure to total expenditure of the Centre, States and Union Territories has fluctuated between 56.0 per cent and 59.1 per cent. Likewise, gross capital formation out of the budgetary resources of the Central Government as a proportion of the total expenditure of the Central Government has varied during the same period between 32.7 per cent and 33.6 per cent.

The ratio of development expenditure to total expenditure does not show any serious decline even though the inflationary pressures of 1972-74 associated with unfavourable weather conditions and a sharp deterioration in India's terms of trade undoubtedly affected the rate of growth of development outlays. However, with the decline of general price level since September, 1974, plan outlays were stepped up significantly in 1975-76 Budget. The Central Budget for 1976-77 has further stepped up the plan outlay by an unprecedented 31.6

percent in the coming year. This large step-up in plan outlay along with other fiscal measures incorporated in the 1976-77 Budget will provide the necessary stimulus for promoting capital formation both in the public and private sectors.

Assistance to Sick Units by Indian Reconstruction Corporation of India

1354 SHRI INDRAJIT GUPTA: Will the Minister of FINANCE be pleased to state,

(a) whether presently 68 sick units are in the assistance list of Industrial Reconstruction Corporation of India; and

(b) if so, the names of those sick units and amounts so far paid to them by Industrial Reconstruction Corporation of India?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b) As on 31st January, 1976, the Industrial Reconstruction Corporation of India Limited, had sanctioned assistance of Rs 31.76 crores to 93 sick/closed industrial units. Of this, Rs 23.53 crores have been disbursed to 69 units. The names of the 69 units and the total amount of disbursements made to each of them, are indicated in the statement laid on the Table of the House [Placed in Library. See No. LT-10549/76]

नई संस्था नीति

1355. डा० लक्ष्मीनारायण पंडेय :

क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या प्रायः मिल क्षेत्र में उन्हीं किस्मों के कपड़े का उत्पादन होता है जिनका

उत्पादन विद्युतचालित करघा और हथकरघा क्षेत्रों में किया जा रहा है, और

(ख) यदि हाँ, तो क्या इन दृष्टि से नई वस्त्र नीति पर विचार किया जाएगा कि न.रा.सं. में इस पृथक्स्थिति बनी रहे?

वाणिज्य मंत्रालय में उपमंत्री (श्री विश्वनाथ प्रताप सिंह) :

(घ) और (ख) कपड़े की जो किस्में हथकरघा क्षेत्र में उत्पादन के निम्ने पूर्ण रूप से आरक्षित हैं, उनके भिन्न, मिल क्षेत्र, पावरलूम क्षेत्र तथा हथकरघा क्षेत्र किसी भी उत्पादन पैटर्न को चुन कर उस पर काम करते हैं, जो उनके लिये अनुकूल होता है। तीनों ही क्षेत्रों में उत्पादन की काफी गुंजाइशें हैं।

Take-over of Sick Textile Units

1356. SHRI VASANT SATHE: Will the Minister of COMMERCE be pleased to state:

(a) the number of sick textile units not yet taken over in the country, State-wise with workers affected;

(b) whether Government have directed the State Governments to take over such units; and

(c) if so, the reaction of the State Governments thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) There are no clear-cut criteria to determine a sick textile mill. However, 10 mills are lying closed on account of financial difficulties. State-

wise break up is as under:

State	No. of closed mill's	No. of workers
Gujarat	2	2692
Kerala	1	567
Maharashtra	2	513
Tamil Nadu	2	1284
Uttar Pradesh	3	6127

(b) and (c). No directive has been issued to the State Governments for taking over the closed mills, but the Central Government is in close consultation with the concerned State Governments, with a view to re-opening such mills as can be run on viable basis.

विद्युत्चालित करघे से बने कपड़े का निर्यात

1357. श्री गंगाधरन होशिल :

क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत 1976-77 में किन-किन देशों को विद्युत्चालित करघे से बने कपड़े का निर्यात करेगा ; और

(ख) उससे कितनी आय होने का अनुमान है ?

वाणिज्य मंत्रालय में उपमन्त्री (श्री बिश्वनथ प्रताप सिंह) :

(क) जिन देशों को 1976-77 के दौरान पावरलूम से कपड़े का निर्यात किए जाने की आशा है उनमें से कुछ देश ये हैं ब्रिटेन, मध्य पूर्व के देश, संयुक्त राज्य अमेरिका, सूडान, बंगला देश, पूर्व अफ्रीका तथा मारिशस ।

(ख) 1976-77 के दौरान पावरलूम के कपड़े से निर्यातों से लगभग 5 करोड़ रुपये की आय होने का अनुमान है ।

Interest Rates in Nationalised Banks

1358. SHRI BISHWANATH JHUN-JHUNWALA: Will the Minister of FINANCE be pleased to state:

(a) whether the Reserve Bank Governor is reported to have stated that the interest rates the nationalised banks charged had no bearing on credit deposit rates;

(b) whether he is also reported to have stated that higher rates of interest is used by banks as a shield for inefficiency in banks; and

(c) whether Government have considered the desirability of lowering lending interest rates without in any way affecting the cause of containing inflation?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) to (c). Reserve Bank of India have reported that Governor, Reserve Bank has stated that there should be a proper relationship between the interest costs on deposits and the return on advances and investments. He has also suggested that there should be a proper cost ratio in banks as in the case of the Life Insurance Corporation. He has also stated that banks should seek to improve their profitability through more efficient operation standards and not by resorting to higher rates of interests out of alignment with policy objectives.

Within the overall ambit of credit discipline, with a view to bringing about a better alignment between the bank rate and the commercial bank lending rates, the Reserve Bank has prescribed a ceiling rate of interest of 16.5 per cent with quarterly rests

in respect of commercial bank advances (including bills). This ceiling rate would apply to advances other than those covered by selective credit controls and advances of banks with demand and time liabilities of less than Rs. 50 crores.

Travelling Allowance to Central Government Officers

1359. SHRI S. D. SOMASUNDARAM: Will the Minister of FINANCE be pleased to state whether the road mileages in respect of travelling allowance being paid to the Central Government officers has been revised after hike in prices of petrol?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI). Yes, Sir. The rates of road mileage admissible to Central Government Officers have been revised with effect from the 1st June, 1974 after taking into consideration the recommendations of the Third Pay Commission and also the hike in the price of petrol upto that date.

'कंकाई' विमान

1360. श्री भागीरथ शंकर : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या किसी देश ने भारतीय हवाई अड्डों पर 'कंकाई' विमानों के उतरने के लिये सुविधाओं की मांग की है ; और यदि हाँ, तो उनके नाम क्या हैं ;

(ख) क्या भारतीय हवाई अड्डे 'कंकाई' विमानों के उतरने लिए उपयुक्त हैं ;

(ग) 'कंकाई' विमानों की विशेष व ने क्या हैं ; और

(घ) क्या अन्य विमान सेवाओं की तुलना में 'कंकाई' विमान सेवाएं अधिक खर्चीली हैं अथवा सस्ती हैं ?

पर्यटन और नागर विमानन मंत्री : (श्री राज बहादुर): (क): अप्रैल, 1975 में, यू. के. सरकार ने जुलाई तथा अगस्त 1975 में कंकाई विमान के क्षमता उड़ान परीक्षणों (एडवोर्सेस फ्लाईंग ट्रायल) दौरान उसमें भारत के ऊपर से होकर उड़ान करने की अनुमति मांगी थी जिसमें बम्बई विमानक्षेत्र पर कुछ अवतरण भी सम्मिलित थे। अनुमति इस शर्त पर दी गयी थी कि विमान भारतीय वायु क्षेत्र में उड़ान करते समय अवध्यानिक (सब-सोनिक) रफ्तार पर उड़ान करेगा।

(ख). अंतर्राष्ट्रीय विमानक्षेत्रों (दिल्ली, बम्बई, कलकत्ता तथा मद्रास) के चार घावनय कंकाई विमानों के अवतरण के लिए उपयुक्त समझे जाते हैं।

(ग) और (घ) सरकार के पास तकनीकी पत्रिकाओं में प्रकाशित सूचना के सिवाय और कोई अतिरिक्त अथवा विशेष सूचना नहीं है।

Boeing Service for Port Blair

1361. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Port Blair will have Boeing Service in near future and if so, when; and

(b) whether there will be direct flight between Calcutta and Port Blair or Madras and Port Blair?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a). The airfield at Port Blair is not presently suitable for Boeing 737 operations. Indian

Airlines will consider operating air services to Port Blair with Boeing 737 aircraft when the air-field becomes suitable for such operations. However, construction of a new airport at Port Blair suitable for B-737 operations is not likely to materialise in the near future.

(b) Indian Airlines are at present operating twice weekly air services between Calcutta and Port Blair by Viscount aircraft. Indian Airlines are also currently evaluating some short-haul jet aircraft as possible replacement for the turbo-props in their fleet. The Corporation will consider the feasibility of operating direct jet services between Calcutta and Port Blair or between Madras and Port Blair as and when a suitable short-haul jet aircraft is acquired.

Comments made by Reserve Bank Inspectors regarding advances made and lapses of South Indian Bank Ltd., Trichur

1362. SHRI VAYALAR RAVI: Will the Minister of FINANCE be pleased to state

(a) whether the Reserve Bank Inspectors have made adverse comments in respect of advances made and lapses of the South Indian Bank Limited, Trichur; and

(b) if so, the broad points of the comments and steps taken by the Reserve Bank to prevent such misuse of advances and lapses by the bank?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). Reserve Bank of India carries out periodic inspections of all banking companies and public sector banks under the relevant provisions of the Banking Regulation Act and also takes steps as are necessary for rectification of irregularities as are noticed during the course of its inspections. South Indian Bank Ltd.,

Trichur was last inspected by the Reserve Bank of India with particular reference to its position as on the 27th September, 1974. The Reserve Bank has, however, reported that as the question relates to an individual bank it will not be in the interest of the banking and the public generally to divulge information collected by the Reserve Bank in the course of inspection of a bank.

Relaxation of ban on Export of Commodities to Nepal

1363. SARDAR SWARAN SINGH SOKHI: Will the Minister of COMMERCE be pleased to state:

(a) whether ban on export of certain commodities to Nepal has been relaxed; and

(b) if so, the items on which the ban has been lifted and the earnings from such export?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). Relaxations have been made for "Gur" and "Writing and Printing Paper" and their supplies to Nepal have been restricted to ceilings of 200 tonnes and 2000 tonnes, respectively, for the current year, keeping in view Nepal requirements. No foreign exchange is to be earned as trade with Nepal is conducted in Indian rupees, in terms of Indo-Nepal Treaty of Trade and Transit, 1971.

मध्य प्रदेश के डीकमगड तथा छतरपुर जिलों में हरिजन और आदिवासियों को ऋण दिया जाना

1364. श्री बाबू राम अहिरवार :

क्या वित्त मंत्री यह दस्ताने की कृपा करेंगे कि :

(क) क्या 20-सूत्री कार्यक्रम के अन्तर्गत क्षेत्रीय ग्रामीण बैंक अधिनियम, 1976 लागू होने के बाद डीकमगड तथा छतरपुर जिलों (म०प्र०) के हरिजनों और आदिवासियों को स्टेट बैंक से ऋण नहीं मिल रहा है ;

(ख) क्या गरीब लोग ऋण लेने के लिये अपनी चल तथा अचल सम्पत्ति बेचने के लिये मजबूर हो रहे हैं, और

(ग) यदि हां, तो इस संबंध में सरकार क्या अविलम्ब कार्यवाही करेगी ?

राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री (श्री प्रणब कुमार मुखर्जी) :

(क) से (ग) : जी, नहीं। भारतीय स्टेट बैंक ने सूचित किया है कि मध्य प्रदेश के डीकमगड और छतरपुर जिलों में किसी भी हरिजन या आदिवासी का कोई आवेदन पत्र, इन जिलों में स्थित उसकी शाखाओं द्वारा रद्द नहीं किया गया है और इस वर्ग के लोगों से प्राप्त आवेदन पत्रों पर सहानुभूतिपूर्वक विचार किया जाता है। वास्तव में, हरिजनों और आदिवासियों सहित कमजोर वर्गों को उनकी उत्पादक आवश्यकताओं के लिये, बैंक द्वारा दी गयी ऋण-राशि से अर्जित परिसम्पत्तियों को बंधक रखकर और संयुक्त जमानतों पर, बैंक-ऋण प्रदान कर दिया जाता है, भूमि संबंधी जमानत जुटाने पर जोर नहीं दिया जाता।

Export of Agricultural Commodities

1365. SHRI N. KALYANASUNDARAM, Will the Minister of COMMERCE be pleased to state:

(a) whether the export of agricultural commodities has gone up; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) and (b) Yes, Sir The export of the major agricultural and allied products has been as under.—

Year	Value in Rs lakhs
1973-74 . . .	68184
1974-75 . . .	95197
1974 . . .	48467
(April-October)	
1975 . . .	58829
(April-October)	

Allotment of powerloom quotas to States and Union Territories

1369. SHRI S. L. PEJE: Will the Minister of COMMERCE be pleased to state:

(a) powerloom quotas allotted to various States and Union Territories during the years of 1973-74, 1974-75 and 1975-76;

(b) the names of the States and Union Territories which have surrendered the quota of powerloom allotted to them; and

(c) whether there is any additional demand from any other State or Union Territory for such quota of powerloom?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) For the Fourth Five Year Plan period, 1,00,682 powerlooms were allotted in the year 1966 to the various States and Union Territories.

Time has been allowed till 31-3-1976 for the utilisation of the above quota. Apart from the above, no further powerloom quotas have been allotted to any State or Union Territory during the years 1973-74, 1974-75 and 1975-76.

(b) No State or Union Territory has so far surrendered the quota of powerlooms allotted to it.

(c) Additional demand for allotment of powerloom quota have been received from Rajasthan, Madhya Pradesh, Tamil Nadu, Gujarat, Maharashtra, Haryana and Pondicherry.

Incidence of Taxation

1370. SHRI SHANKER RAO SAVANT: Will the Minister of FINANCE be pleased to state:

(a) per capita incidence of taxation (both Central and State taxes) in each of the States and Union Territories of India; and

(b) what attempts are made to induce the lightly taxed States and Union territories to come up to the level of national incidence?

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): (a) and (b) : No study has been made of the per capita incidence of Central and State taxes as a whole (that is, direct and indirect taxes taken together) on a State-wise basis as it raises many conceptual and practical problems.

However, the tax effort of a State is one of the factors which has been taken into account in the formula for distribution of Central assistance to States for the Plan. The Centre has constantly been impressing upon the States the scope and need for mobilisation of additional resources in order to sustain the tempo of developmental activities. In the course of discussions with States and Union Territories, the Planning Commission also impresses upon the States which are lightly taxed the need for raising additional resources.

Robbery in Sanwar Branch of Punjab National Bank

1371. SHRI HARI SINGH: Will the Minister of FINANCE be pleased to state:

(a) whether a big sum of the Punjab National Bank at Sanwar, near Udaipur was looted by robbers on March 2, 1976; and

(b) if so, the amount looted?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE & BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). Punjab National Bank has reported that on 1st March, 1976 some armed dacoits entered the premises of its branch at Sanwar and carried away cash amounting to Rs. 2,28,575.24 and postage worth Rs 50/- belonging to the bank. The bank immediately filed a complaint with the police. Police investigations are in progress.

Implementation of 20-Point Economic Programme by SBI in U.P.

1372 SHRI SARJOO PANDEY: Will the Minister of FINANCE be pleased to state:

(a) whether the State Bank of India is making all out efforts to implement 20-point economic programme in Uttar Pradesh;

(b) if so, the particulars thereof, district-wise; and

(c) how far the programme there has taken concrete form?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE & BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) to (c) : State Bank of India have reported that they are making vigorous efforts at all levels to assist the implementation of the 20-Point Economic Programme in Uttar Pradesh and that close liaison is being maintained with the Government at

different levels to initiate and implement coordinated programmes.

While substantial assistance flowing to the beneficiaries of the 20-Point Programme is under the on going schemes of the Bank, the available district-wise data relating to the number of persons assisted by the Bank in Uttar Pradesh under different segments of the 20-Point Programme are set out in the annexure. Statement laid on the Table of the House [Placed in Library. See No. LT-10550/76].

Finalisation of Socio-Economic Survey by L.I.C.

1373. **SHRI ISHAQUE SAMBHALI:** Will the Minister of FINANCE be pleased to state:

(a) whether L.I.C. has analysed an intensive socio-economic survey among rural people; and

(b) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI): (a) and (b). The L.I.C. propose to conduct through college students during May-July 1976 a sample survey in selected rural areas of four districts—one each in the states of Haryana, Rajasthan, Madhya Pradesh and Uttar Pradesh. The object of the survey is to identify the insurance needs of the rural people, assess their financial capacity to provide for themselves and to study their attitudes towards savings in general and insurance in particular.

Export of Processed Foods

1374. **SHRI C. JANARDHANAN:** Will the Minister of COMMERCE be pleased to state:

(a) whether Government have fixed a high target this year for export of processed foods;

(b) whether the processed foods are being exported at lower rates than their local prices; and

(c) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) Yes, Sir.

(b) and (c). By and large processed foods are not being exported at rates lower than local prices. However, in the case of processed foods like instant coffee, confectionery, pickles and chutneys and mango juice, for which export markets are still being explored, exports are taking place at prices somewhat lower than internal prices.

State resources for Developmental Projects

1375. **SHRI MOHINDER SINGH GILL:** Will the Minister of FINANCE be pleased to state:

(a) whether after easy resort to the overdrafts on the Reserve Bank by the State Governments was barred, most of these State Governments have not been able to raise their own resources for pressing developmental projects and are looking for generous assistance from the Centre during the coming financial year; and

(b) if so, the manner in which the State Governments are proposed to be helped for the purpose?

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): (a) and (b). The Overdraft Regulation Scheme, which is based on the salutary principle of overdrafts on the Reserve Bank not being regarded as a budgetary resource, has not affected the developmental Plans of the States. The approved Plan outlay of the States in the current Plan period has increased from Rs. 2127 crores in 1974-75 to Rs. 2812 crores in 1975-76 and to Rs. 3644 crores in 1976-77. The

States have shown commendable effort, in raising genuine resources for the Plan inasmuch as the measures undertaken by them in the first two years of the current Plan would yield an estimated Rs. 1012 crores next year. The scheme of financing their Plan next year envisages further additional resource mobilisation by them to the extent of about Rs. 250 crores. The Centre has also been helping the States to fund increasingly higher Plan outlays. The Central support, by way of Plan assistance and otherwise, to the States for their developmental efforts has been increased from Rs. 896 crores in 1974-75 to Rs. 1140 crores in 1975-76 (RE) and to Rs. 1276 crores in 1976-77 (BE). The open market borrowing of the States, as well as assistance to them from institutions, has also been stepped up for the coming year.

Opening of Regional Rural Banks in Orissa

1376. SHRI ARJUN SETHI: Will the Minister of FINANCE be pleased to state:

(a) whether there is any proposal to open Regional Rural Banks in Orissa; and

(b) if so, when and locations thereof?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b) . One Regional Rural Bank has already been established in Orissa at Pipil to cover Puri District. Further locations of Regional Rural Banks in the States including Orissa are under consideration of the Government.

Financial assistance to handloom industries of States

1377. SHRI SAROJ MUKHERJEE: Will the Minister of COMMERCE be pleased to state:

(a) the financial help rendered to handloom industries by his Ministry, State-wise during the last year;

(b) what exactly are the hurdles for cooperatives to get loans from the Reserve Bank of India in the light of observations by the Sivaraman Committee on Handloom Industry that the bank cannot be expected to fund the cooperatives unless they come up to the norms set by it; and

(c) the steps taken to remedy this weakness?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) During the year 1975 a sum of Rs. 4.70 crores has been distributed as loan assistance to the following States for clearance of accumulated handloom stocks:

States	Rs. in crores
Tamil Nadu	1.80
Andhra Pradesh	1.20
Karnataka	0.70
Uttar Pradesh	0.70
Kerala	0.30

A number of Centrally assisted handloom development schemes are at present under consideration and are likely to be implemented during the year 1976-77. The assistance for these schemes will be on a reimbursement basis.

(b) The weakness of the primary societies which is due to a weak capital base and unsatisfactory recovery of dues from the members is the major hurdle because of which

they are unable to fulfil the norms laid down by the Reserve Bank of India.

(c) State Governments have been advised to regroup and revitalise the primaries into viable and strong ones after a proper census so as to enable them to fulfil the standards prescribed under the scheme

Loss suffered by M.M.T.C. due to export of Iron Ores through Paradeep Port

1378 SHRI ANADI CHARAN DAS Will the Minister of COMMERCE be pleased to state

(a) whether export of iron ores through Paradeep Port has suffered serious set-back causing huge accumulation of ores in Paradeep Port and depletion in the activities of transport from mining area to the port,

(b) if so, the loss suffered by M.M.T.C. on this account with reasons therefor, and

(c) what action Government have taken to boost up the export of ores?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH)
(a) No, Sir

(b) and (c) Do not arise

Scheme for recovery of arrears of taxes

1379 SHRI SHASHI BHUSHAN Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question No 894 on the 27th July, 1973, regarding Introduction of American scheme for recovery of arrears of taxes and state

(a) the extent to which the implementation of this scheme has been helpful in liquidating the arrears of taxes; and

(b) the extent to which there has been increase in revenue after the implementation of the scheme?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) and (b) As was mentioned in the reply given on the 27th July, 1973, the Functional Scheme of work in the Income-tax Department was introduced in September, 1968, on a pilot basis and was extended from year to year till it covered about 50 per cent of the Income-tax offices. Thus, at no point of time, this Scheme covered the entire Department. Figures of collection/reduction/adjustment of arrear demand and of net budget collections during the years 1966-67 to 1974-75 are given in Table 'A' of the Statement. Since these figures are for the Department as a whole and collection/reduction/adjustment of arrear demand and net budget collections depend upon a large number of factors of which the system of work in the Department is only one, it would not be proper to correlate these figures with the Functional Scheme of work.

After a review of the working of the Functional Scheme, it was decided to revert, with effect from 1st April, 1975, to the earlier unitary system of work. Figures of collection/reduction/adjustment of arrear demand upto 31st December, 1975 and the figures of net budget collections upto the end of February, 1976, are given in Table 'B' of the Statement.

together with the corresponding figures of 1974-75 and 1973-74.

Statement

TABLE 'A'

(In crores of Rs.)

Financial Year	Collection adjustment/reduction out of arrear demand	Net Budget collections of Income-tax and Corporation tax (Account figures)
1966-67 . . .	110.02	637.43
1967-68 . . .	221.43	636.40
1968-69 . . .	206.70	678.24
1969-70 . . .	302.75	801.84
1970-71 . . .	328.45	843.69
1971-72 . . .	303.64	1008.82
1972-73 . . .	324.18	1187.79
1973-74 . . .	329.05	1327.76
1974-75 . . .	321.31	1583.89

TABLE 'B'

(In crores of Rs.)

Financial Year	Collection adjustment/reduction out of arrear demand upto 31st December of the financial year	Net Budget collections upto the end of February of the financial year (Departmental figures)
1975-76 . . .	290.60	1420.01*
1974-75 . . .	216.59	1142.47
1973-74 . . .	227.59	905.25

*Figures provisional

Funds sought by Indian Airlines

1380. SHRI M. RAM GOPAL REDDY: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Indian Airlines has sought more funds to enlarge its regional and tourist promotion activities; and

(b) if so, the decision of Government thereon?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) and (b). Following the steep increase in the price of aviation fuel, with effect from 2nd March, 1974, Indian Airlines approached the Central Government for financial relief in the form of reduction in the price of Aviation turbine fuel, grant of subsidy from the Civil Aviation Development Fund, exemption of aircraft and engines and their spares from payment of Customs duty etc. No additional assistance from the Civil Aviation Development Fund was considered for the operation of uneconomic routes. The Central Government had, however, allowed a reduction in the price of Aviation turbine fuel by Rs. 100 per kilo litre from mid September, 1974. The relief on this account is expected to be of the order of Rs. 3 crores in a full year.

Generalised System of preferences

1381 SHRI MANORANJAN HAZRA: Will the Minister of COMMERCE be pleased to state whether GSP introduced by U.S.A. has since been availed of by Government of India and if so, foreign exchange earned therefrom?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): Exporters in India have started availing of the opportunities provided by the GSP of U.S.A. which has come into operation from 1st January, 1976 only. It is too early to make any

assessment of earnings of foreign exchange as a result of GSP scheme of U.S.A.

Muzaffarpur-Patna Air Service

1382. **SHRI HARI KISHORE SINGH:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state;

(a) whether there is any proposal to re-start Muzaffarpur-Patna air service;

(b) if so, whether it is to be extended upto Raxaul; and

(c) the time by which the service is proposed to be resumed?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) to (c). Indian Airlines have no plans at present to resume air services to Muzaffarpur or to extend any of their services to Raxaul. However, nine routes including Calcutta-Gaya-Muzaffarpur-Patna-Varanasi which are not being operated by the Corporation at present, have been offered to private operators by the Director General of Civil Aviation. Applications received are under examination.

Purchasing of cotton by National Textiles Corporation

1383. **SHRI NITIRAJ SINGH CHAUDHARY:** Will the Minister of COMMERCE be pleased to state-

(a) whether the National Textile Corporation has to pay commission to agents for purchasing cotton and other materials on credit;

(b) if so, amount of commission and at what stage it is paid;

(c) whether National Textile Corporation is purchasing cotton bales at 3300 as against cash sale price of 2800 or so; and

(d) if so, the steps proposed to be taken to remedy this?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) Purchases of cotton are generally made directly from Cotton Corporation of India, Maharashtra Marketing Co-operative Federation and Co-operative Societies or traders. Normal terms of payment are cash against delivery. Due to inadequacy of working capital, some Subsidiaries purchased cotton on credit by paying commission to the commission agents. In case of coal supplies, payment is made to commission agents after the receipt of coal in the mills whereas payment is made by commission agents in advance to the suppliers.

(b) The information is being collected.

(c) and (d). Considering the number of purchase transactions in respect of cotton for all the nationalised mills, actual position needs verification. This is being done. Nevertheless, Cotton purchases have now been centralised at the Subsidiary level and directions have been issued by the Holding Company to the Subsidiaries to purchase cotton from Public Sector agencies such as Cotton Corporation of India, Maharashtra Co-operative Marketing Federation and at what stage it is paid;

Payment of income tax by Indians serving abroad

1384. **SHRI BIRENDER SINGH RAO:** Will the Minister of FINANCE be pleased to state:

(a) whether Indians serving abroad have to pay income tax in India if their stay in India is more than forty days in a financial year; and

(b) whether Government propose to relax this period to attract more

foreign exchange earnings which result from such visits?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) There is no such provision in the Indian Income Tax Act, 1961 by which Indians serving abroad have to pay income tax in India if their stay in India is more than 40 days in a Financial Year.

(b) The Government are not considering any proposal for the amendment of existing provisions contained in the relevant sections of the Income Tax Act, 1961.

Commission on prices, costs and tariffs

1385. SHRI DHAMANKAR: Will the Minister of COMMERCE be pleased to state:

(a) whether in view of the changed economic situation it is proposed to wind up the statutory Tariff Commission;

(b) if so, whether Government propose to set up a commission on prices, costs and tariffs as was suggested by the Administrative Reforms Commission; and

(c) if so, what will be the role of this Commission in the rapidly changing situation in the industry?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) Yes, Sir.

(b) No, Sir. The Administrative Reforms Commission's recommendations about replacing Tariff Commission by another Commission to be known as Commission on Prices, Costs and Tariff had been considered earlier but was not found acceptable.

(c) Does not arise.

उत्तर प्रदेश में पर्यटन केन्द्र

1386. श्री चन्द्रिका प्रसाद : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि विदेशी पर्यटकों को आकर्षित करने हेतु सरकार का उत्तर प्रदेश में विशेषकर बलिया-बक्सर, मेरहारा झील, चरित्रबल, विश्वमित्र आश्रम और ताड़का बध स्थानों को पर्यटन केन्द्र घोषित करने का विचार है?

पर्यटन और नागर विमानन मंत्रालय में राज्य मंत्री (श्री सुरेन्द्र फल सिंह): एको कोई प्रयास नहीं है जिसके द्वारा स्थानों को पर्यटन केन्द्रों के रूप में घोषित किया जाता हो। केन्द्रीय क्षेत्र में पर्यटन के विकास के लिए स्थानों का चयन साधनों की उपलब्धता तथा ऐसी पारस्परिक प्रयोज्यताओं पर निर्भर करता है जिसका निर्धारण पर्यटकों के लिए किसी स्थान के वास्तविक अथवा संभावित आकर्षणों, उस तक पहुंचने की सुविधा पर्यटन के मूल आधारभूत उपादानों की उपलब्धता तथा वहां के लिये पर्यटक यातायात के प्रवाह की वर्तमान स्थिति द्वारा किया जाता है। जिन पर्यटन केन्द्रों पर देशीय पर्यटक बड़ी संख्या में जाते हैं। वहां पर्यटन सुविधाओं का विकास करना संबंधित राज्य सरकारों का उत्तम ध्येय है। पर्यटन विभाग का फिलहाल केन्द्रीय क्षेत्र में बलिया-बक्सर, मेरहारा झील, चरित्रबल, विश्वमित्र आश्रम तथा ताड़का बध का विकास करने का कोई प्रस्ताव नहीं है।

Air service to Kargil

1387. SHRI SYED AHMED AGA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government are aware that Kargil, an important tehsil of Ladakh, is not linked by air service; and

(b) whether Government propose to provide air service to Kargil also besides Ladakh?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) and (b). Indian Airlines do not have any suitable aircraft in their fleet at present for operation of air services to Ladakh. Indian Airlines are presently studying different types of short-haul jet aircraft which could be a suitable replacement for the existing turbo-prop aircraft in the fleet of the Corporation and could be operated to higher altitude destinations such as Leh (in Ladakh).

Air service from New Delhi to Rajkot

1388. SHRI ARVIND M. PATEL:
SHRI VEKARIA:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state whether Government propose to re-start a direct air service from New Delhi to Rajkot twice a week?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): Indian Airlines have no plans to operate a direct air service between Delhi and Rajkot. However, the Corporation are operating a daily service between Bombay and Rajkot with HS-748 aircraft which provides same day connection at Bombay for passengers from Rajkot travelling to Delhi.

New International Terminal at Bombay

1389. SHRI ARVIND M. PATEL:
SHRI VEKARIA:

SHRI VEKARIA:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government propose to construct a new international terminal at Bombay airport; and

(b) if so, the main features thereof and the amount earmarked for the project?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) and (b). Government have approved the construction of a new international passenger and cargo terminal complex at Bombay airport by the International Airports Authority of India at a total cost of Rs. 11.00 crores out of which the outlay on passenger terminal will be Rs. 7.16 crores and on the cargo terminal Rs. 3.84 crores. The new passenger terminal will cater to a peak hour traffic of 1400 passengers (arrival and departure). The scheme envisages construction of 83,164 square feet cargo area.

Foreign trade

1390. SHRI SAMAR GUHA: Will the Minister of COMMERCE be pleased to state:

(a) facts about foreign trade in terms of rupees with Japan, Iran, West Germany and West Asia in terms of export and import during the years 1973-75; and

(b) expected trade with these countries during the years 1975-76?

**THE DEPUTY MINISTER IN THE
MINISTRY OF COMMERCE (SHRI**

VISHWANATH PRATAP SINGH):

(a) Country	1973-74		(Rs. in lakhs) 1974-75	
	Imports	Exports	Imports	Exports
Japan	25953	36221	45347	30861
Iran	26758	4278	47266	21446
West Germany	20679	8637	30687	10543
*West Asia	28156	13720	65000	28397

(*West Asia region covers Abu Dhabi, Dubai, Bahrain, Kuwait, Oman, Qatar, Iraq, Saudi Arabia, Jordan, Lebanon, Syria, Yemen, Arab Republic, Israel, Peoples Democratic Republic of Yemen).

(b) Although figures for the full year 1975-76 are not yet available, it is expected that trade with the countries given above would be at a higher level than in 1974-75.

Available figures in respect of these countries are given below:—

(Rs. in lakhs)

	April-September, 1975	
	Imports	Exports
Japan	10870 (April to June)	17715 (April to September)
Iran	9612 (April to June)	14567
West Germany	16860	4958
West Asia	30871	12782

**Fluctuations in exchange rate of
rupee**

1391. SHRI SAMAR GUHA: Will the Minister of FINANCE be pleased to state:

(a) whether the exchange rate of rupee fluctuated with the currencies of USSR, U.S.A., Japan; Iran; U.K.; West Germany and West Asia during the years 1973-75; and

(b) if so, the facts thereabout including the figures of gain and loss due to fluctuation of exchange rate with Indian currency?

**THE MINISTER OF FINANCE
(SHRI C. SUBRAMANIAM):** (a) Yes, Sir.

(b) Since USSR is not a member of IMF, there is no direct relationship between Indian rupee and the Rouble except through the Gold content of the respective currencies as declared. The currencies of West Asian countries have also no direct relationship with the Indian rupee.

In the case of other currencies, the rate for the Indian rupee varies with the cross rates for these currencies in London. The official rate in Indian rupee as on the 14th February, 1973 and the 31st December, 1975 for the

major currencies concerned are indicated below:—

	Official rates in terms of Indian rupees (Rs. 100—Foreign Currency Units)	
	14-2-1973	31-12-1975
Pound Sterling .	5.3191	5.5162
U.S. Dollar .	13.1408	11.1634
Deutsche Mark	38.6433	29.2359
Japanese Yen .	3489.33	3404.87
Iranian Rials .	1040.62	773.34

In view of frequent fluctuations in various currencies, it is not possible to estimate precisely the losses or gains on this account.

कृषि पुनर्वित्त निगम द्वारा मध्य प्रदेश में स्वीकृत परियोजनाएं

1392. श्री गंगा धरण बीजित : क्या बिजल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कृषि पुनर्वित्त निगम ने वर्ष 1974-75 के दौरान मध्य प्रदेश में अत्यावश्यक वस्तुओं के विपणन के संबंध में किन्हीं परियोजनाओं को स्वीकृति दी थी ;

(ख) यदि हां, तो क्या वित्तीय सहायता की भी स्वीकृति दी गई थी ; और

(ग) यदि हां, तो कितनी राशि की स्वीकृति दी गई थी ?

राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री (श्री प्रखरे कुमार मुन्जर्वा) : (क) जी, नहीं ।

(ख) और (ग). प्रश्न नहीं उठता ।

मध्य प्रदेश में कपड़ा उद्योग का आधुनिकीकरण

1393. श्री गंगा धरण बीजित : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश में कपड़ा उद्योग का आधुनिकीकरण किया जा रहा है जिससे ऐसी किस्म के कपड़े का उत्पादन किया जा सके जिससे विदेशी मंडियां आकर्षित हों ; और

(ख) यदि हां, तो तत्सम्बन्धी तथ्य क्या हैं?

वाणिज्य मन्त्रालय में उपमन्त्री (श्री बिहबनाथ प्रताप सिंह) : (क) और (ख). सरकार को ऐसे किसी आधुनिकीकरण कार्यक्रम की सूचना नहीं है। हां, राष्ट्रीय बस्त्र निगम ने मध्य प्रदेश में अपने नियंत्रणाधीन सात मिलों के लिए पुरानी तथा अप्रचलित मशीनरी का नवीकरण करने तथा इन मिलों में हो रही घन-हानियों को रोकने के लिए लगभग 423.84 करोड़ रुपये की लागत का एक आधुनिकीकरण कार्यक्रम तैयार किया है ।

Facilities on the Bank of Gobind Sagar Lake in Himachal Pradesh

1394. PROF. NARAIN CHAND PARASHAR: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether there is any proposal in the Central Sector to provide facilities on the banks of Gobind Sagar Lake in Himachal Pradesh by erecting suitable ghats and setting up parks and shelters; and

(b) if so, the broad outlines thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) and (b). Two 15 seater launches are being provided at Gobind Sagar by the Central Department of Tourism. The launches

are likely to be commissioned by the end of May, 1976. There are no other proposals in the Central Sector to provide facilities at Gobind Sagar.

Average Population and Area served by a Bank

1395. PROF. NARAIN CHAND PARASHAR: Will the Minister of FINANCE be pleased to state:

(a) the average population, along-with average area served by a bank in India as on 1st January, 1976;

(b) the corresponding figures for each one of the States/Union Territories of the Union; and

(c) whether the licences to the lead banks are proposed to be given on a liberal basis in the States and Union Territories, where a Bank has to serve a fairly large area and population, especially in the hilly States and hilly regions of other States?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). The requisite information is set out in the Statement laid on the Table of the House. [Placed in Library. See No. LT-10551/76].

(c) Reserve Bank of India have advised all the commercial banks that while drawing up three year rolling plans for branch expansion, they should pay special attention to unbanked and under-banked rural and semi-urban areas and under-banked and backward Districts, States and Union Territories, especially in the Eastern and North Eastern Regions and endeavour to open as many offices in these areas as possible so that

the inter-district and inter-State disparities in the matter of provision of banking facilities are progressively reduced and the growth potential of the country as a whole adequately activated.

उत्तर प्रदेश, मध्य प्रदेश और तमिलनाडु में हथकरघा उद्योग में संकट

1396. डा० लक्ष्मीनारायण खंडेरे : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर प्रदेश, मध्य प्रदेश और तमिलनाडु में हथकरघा उद्योग को, जिसका एक करोड़ से अधिक व्यक्तियों की आजीविका से संबंध है, सूत और सामयिक वित्तीय सहायता उपलब्ध न होने के कारण गम्भीर संकट का सामना करना पड़ रहा है ;

(ख) क्या हथकरघा आयोग इन समस्याओं को हल करने में प्रायः असफल रही है और इसके परिणामस्वरूप लाखों लोगों के सामने संकट की स्थिति उत्पन्न हो गई है; और

(ग) यदि हां, तो इस उद्योग में व्याप्त कठिनाइयों को दूर करने के लिए सरकार ने क्या कार्यवाही की है ?

वित्त मन्त्रालय में उपजम्मी (बी विद्यनाथ प्रताप सिंह) : (क) केन्द्रीय सरकार को उत्तर प्रदेश, मध्य प्रदेश, तथा तमिलनाडु सरकारों से ऐसी कोई रिपोर्ट नहीं मिली है कि जायदादा तथा समय पर वित्तीय सहायता न मिलने के कारण उन राज्यों में हथकरघा उद्योग में संकट पैदा हो गया है।

(ख) और (ग) . प्रश्न नहीं उठे

मलेशिया और पूर्व अफ्रीका को निर्यात होने वाली वस्तुएं

1397. डा० लक्ष्मी नारायण पांडेय : क्या वाणिज्य मंत्री यह बताने को कृपा करेंगे कि :

(क) 1975-76 में मलेशिया और पूर्व अफ्रीका की किन वस्तुओं का निर्यात किया गया ;

(ख) क्या मलेशिया ने कहा है कि यह बड़ी मात्रा में रेल उपकरण खरीदना चाहता है ; और

(ग) यदि हां, तो इस संबंध में क्या बातचीत हुई तथा भारत द्वारा कितनी मात्रा में रेल उपकरण निर्यात किये जाने की सम्भावना है ?

वाणिज्य मन्त्रालय में उपस्थित (श्री बिहारीनाथ प्रताप सिंह) : (क) से (ग). 1975-76 (अप्रैल-मार्च) के दौरान मलेशिया को हुए निर्यात

सूती उत्पाद [(घाने, सिलाई घागे तथा वस्त्रों को छोड़कर), बिजली की मशीनों के अलावा मशीनें, बिजली की मशीनें तथा उनके हिस्से, पुर्जे, प्याज, धातुओं से निर्मित सामान, परिवहन उपस्कर, लोहा तथा इस्पात, कागज, गत्ता तथा उससे बना सामान, सूती तथा पटसन को छोड़कर बुने हुए कपड़ाइय फर्निचर, अरण्डी का तेल, मोती, मूल्यवान तथा धर्म-मूल्यवान रत्न, टिक्स्ट तथा धातु को छोड़कर पटसन से बना माल, दलहन, चीनी तथा अन्य वस्तुएं, चमड़ा, धातु की लुग्दी, खेल कूद का सामान, जूते, काजू गिरी, मिश्र निर्मित सूती वस्त्र, रेल उपस्कर ।

† 1975-76 के दौरान पूर्व अफ्रीका को हुए निर्यात

कृषि संबंधी तथा संबद्ध उत्पाद, धान का सूती कपड़ा, सूती उत्पाद, हथकरघा वस्त्र, नकली रेशम तथा संश्लिष्ट रेशे और स्पन ग्लास के कपड़े, कयर उत्पाद, पटसन उत्पाद, चमड़ा तथा चमड़े से बना माल, धातु से बना सामान, बिजली की मशीनों की छोड़कर अन्य मशीनें, बिजली की मशीनें तथा संयंत्र पटसन की बोरियां, परिवहन उपस्कर, मोटर गाड़ियां, हस्तशिल्प, लोहा तथा इस्पात, रासायनिक पदार्थ तथा संबद्ध उत्पाद, प्लास्टिक तथा प्लास्टिक से बना माल, कागज तथा गत्ता, कांच तथा कांच के बर्तन प्रयस्क तथा खनिज पदार्थ और स्क्रैप तथा जूते, चमड़ा, खेल कूद का सामान, अरण्डी का तेल, जूते ।

(† पूर्व अफ्रीका क्षेत्र में कीनिया, उगांडा, तंजानिया, इथोपिया, सोमालिया, मोजाम्बिक, मंडगास्कर, मारिशस तथा मलावी आते हैं)

(ख) तथा (ग). ऐसा पता चला है कि मलेशियाई रेल प्रशासन ने 60 करोड़ मलेशियाई डालर का पूंजी निवेश करने के लिये तीसरी मलेशियाई योजना (1976-80) के अन्तर्गत, अपनी आयोजना तैयार कर ली है इनमें माल डिब्बे, सवारी डिब्बे, सिगनल उपस्कर, ट्रैक उपस्कर आदि की खरीद शामिल है । तथापि, मलेशिया सरकार द्वारा अभी अन्तिम रूप से इस योजना का अनुमोदन किया जाना है । हम उचित समय पर इस कारोबार को यथासंभव अधिक से अधिक प्राप्त करने का प्रयत्न कर रहे हैं । क्वालालम्पुर स्थित हमारे मिशन के माध्यम से और अन्यथा समुचित प्राधिकारियों से बराबर निकट सम्पर्क रखा जा रहा है ।

भारत पर्यटन विकास निगम द्वारा चलाये जा रहे होटलों को हानि

1398. डा० लक्ष्मीनारायण पांडेय : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि भारत पर्यटन विकास निगम द्वारा चलाये जा रहे होटलों का वर्ष 1974-75 की लाभ-हानियां क्या हैं ?

पर्यटन और नागर विमानन मंत्रालय में राज्य मंत्री (श्री सुरेन्द्र पाल सिंह) : अपेक्षित सूचना देने वाला एक विवरण संलग्न है।

विवरण

होटल का नाम	लाभ (+)/हानि (-) (लाख रुपये में)
1	2
1. अशोक होटल, नई दिल्ली	(+) 52.89
2. अकबर होटल, नई दिल्ली	(+) 15.41
3. जनपथ होटल, नई दिल्ली	(+) 16.85
4. होटल रणजीत, नई दिल्ली	(-) 5.33
5. लोदी होटल, नई दिल्ली	(+) 2.64
6. कुतुब होटल, नई दिल्ली	(+) 0.30
7. होटल अशोक, बंगलौर	(+) 5.16

1	2
8. श्रीरंगाबाद होटल, श्रीरंगाबाद	(-) 2.93
9. खजुराहो होटल, खजुराहो	(-) 0.56
10. लक्ष्मी विलास पैलेस होटल, उदयपुर	(-) 3.07
11. वाराणसी होटल, वाराणसी	(-) 4.67
12. ललित महल पैलेस होटल, मैसूर	(-) 3.78
13. कोबालम ग्राव (मलहदा यूनिटों सहित)	(-) 4.74
कुल (+) 68.23	

Participation in International Exhibitions

1399. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of COMMERCE be pleased to state:

(a) whether Government are contemplating any change in the structure of the Directorate of Exhibitions and if so, when; and

(b) in how many international exhibitions the Directorate of Exhibitions and the Indian Council of Trade Fairs and Exhibitions, Bombay have participated, separately in 1974-75 and 1975-76?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Yes, Sir. The matter is under consideration and decision will be taken very shortly.

(b) The Directorate of Exhibitions and commercial Publicity organized thirteen fair-participation and exhibitions during 1974-75, and fifteen dur-

ing 1975-76. The Indian Council of Trade Fairs and Exhibitions arranged two fair participations in 1974-75 and three in 1975-76.

World Bank Aid for Power Projects

1400. SHRI VASANT SATHE. Will the Minister of FINANCE be pleased to state:

(a) whether the World Bank has been apprised of some power projects to be taken up during the 5th Plan with its financial/technical assistance; and

(b) if so, State-wise, particulars of such projects and financial assistance sought/indicated/promised by the World Bank?

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): (a) and (b). The Government of India has signed on 22-1-1976 an agreement with the International Development Association, an affiliate of the World Bank, for one hundred and fifty million dollars for the IVth Power Transmission Project which will be executed during the Fifth Plan. Out of \$ 150 million, \$ 120 million will be utilised for supply and construction of overhead transmission lines, underground cables and sub-station equipment for the State Electricity Boards of Bihar; Gujarat; Maharashtra and West Bengal and for the Western and Eastern Regional Electricity Boards. The remaining 30 million dollars is meant for supply and construction of transmission lines, sub-stations and communications equipment in the States of Assam; Kerala; Madhya Pradesh; Karnataka; Orissa; Tamil Nadu and the areas of operations of Delhi Electric Supply Undertaking, the Beas Construction Board; the Southern and Northern Regional Electricity Boards and the Tata Power Company.

In addition to the above, as few feasibility reports on both Super Thermal and Hydro Electric Projects were submitted to the World Bank for financial assistance. The Super Thermal Stations being considered are for locations at Singrauli in Uttar Pradesh;

Korba in Madhya Pradesh; Farakka in West Bengal and Neyveli (Tamil Nadu)/Godavari (Andhra Pradesh). Out of these, Singrauli Project was recently appraised by a World Bank Mission. The Team's report is still awaited.

The Hydro Electric Projects under consideration of the World Bank are for location at (1) Nathpa-Jhakri on the river Sutlej in Himachal Pradesh, (2) Koel-Karo on the river South Koel (a tributary of the Brahmani) and its tributary the North Karo in Bihar, (3) Tehri Dam Project on the river Bhagirathi in Uttar Pradesh, and (4) Bedti-Varahi Project on river Bedti in Karnataka.

Recommendations of Working Group on Regional Rural Banks

1401. SHRI VASANT SATHE: Will the Minister of FINANCE be pleased to state:

(a) the main recommendations of the working group on Regional Rural Banks;

(b) the action taken/proposed by Government thereon; and

(c) whether the Reserve Bank had modified its Bank's branch licensing policy and if so, the broad outlines thereof?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE & BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) The main recommendations of the Working Group on Rural Banks set up by the Government in July 1975 are contained in the Statement enclosed.

(b) The recommendations of the Working Group on Rural Banks were considered and with certain modifications accepted by the Government. In pursuance of this, action has been taken to establish Regional Rural Banks under the Regional Rural Banks Act, 1976. So far 12 such Banks have been established in the country.

(c) Regional Rural Banks are intended to supplement rather than supplant the existing credit institutions. The setting up of these banks is not, therefore, expected to lead to a let up in the pace of rural branch expansion by the commercial banks. Though no change has been made in the existing basic policies of branch expansion by commercial banks, a realignment has, however, been made in the area where the rural banks are being set up. Now, normally, no new bank offices are allowed in the 'command area' of the Rural Banks in order to avoid duplication coverage by the banks.

Statement

Report of the Working Group on Regional Rural Banks—main recommendations thereof

The rural banks would be basically scheduled commercial banks brought into being under a separate piece of legislation. Each of these banks may cover one to five districts within a particular State according to the homogeneity of agro-climatic conditions of contiguous areas. Each bank will have branches in its area of operation up to an optimum level of 100.

Each rural bank will have an authorised capital of Rs. 1 crore and issued/paid-up capital of Rs.25 lakhs. 50 per cent of shares will be held by Government of India, 25 per cent by the sponsor bank (usually the lead bank of the area), 10 per cent by the State Government concerned and 15 per cent by co-operative and other institutions and individuals. A minimum guarantee dividend may be assured to shareholders other than Government of India, the sponsor bank and State Governments.

There will be a Board of 9 Directors 4 including the Chairman to be nominees of Government of India, 1 nominee of State Government, 2 nominees of the sponsor bank and 2 further nominees of Government of India from amongst the remaining shareholders.

The Chairman will be appointed by Government of India in consultation with Reserve Bank of India and the sponsor bank with due regard to his experience and background.

The staff will receive emoluments at scales comparable with those of the State Government concerned. This provision will be incorporated in the Act itself to keep away the jurisdiction of awards of wage tribunals.

Branches of rural banks will cater to all kinds of productive credit for the rural community and will also try, subject to resources, to meet genuine contingent consumption requirements of the poorer sections of the clientele within specified ceilings.

The lending rates should not be more than those prevailing in primary co-operative credit societies of the area.

To start with, 5 rural banks may be set up in selected areas where (a) credit facilities, both from the commercial and co-operative banking sectors, are inadequate and (b) where there is fairly good potential for agricultural development.

Import of Rags by S.T.C.

1402. SHRI VASANT SATHEE: Will the Minister of COMMERCE be pleased to state:

(a) whether alleged inept handling of imports of Woollen rags by the State Trading Corporation is costing the country dearly;

(b) whether S.T.C.'s reliance on only a few suppliers of rags in the world market is detrimental to the country's interests as these suppliers have lately teamed up to rig up the prices and if so, the facts thereof;

(c) the extent of increase in the prices of hosiery rags and rags from woollen garments during the last six months; and

(d) the steps Government have taken or propose to take in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) No, Sir.

(b) The STC has a panel of sixty-five approved suppliers and this panel is not a closed list. On an average, 12-13 suppliers send offers against the purchase enquiries.

(c) There is about 10 per cent increase in the prices of hosiery rags. There is no increase in the prices of rags from woollen garments.

(d) Does not arise.

Recruitment of S.C. and Scheduled Tribes in Banks

1403. SHRI VAYALAR RAVI: Will the Minister of FINANCE be pleased to state—

(a) whether Government have issued any instructions to nationalised and non-nationalised banks in regard to recruitment of Scheduled Castes and Scheduled Tribes; and

(b) how far these have been implemented by the banks, bank-wise?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE & BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). The rationalised banks have

been issued instructions, from time to time, regarding reservations for Scheduled Castes and Scheduled Tribes. These instructions have been adopted by the banks and are being implemented. However, no such instructions have been issued by the Government to the non-nationalised banks.

Tourist Traffic through Bombay, Delhi and Calcutta Airports

1404. SHRI SAMAR GUHA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state—

(a) the break-up of the number of foreign tourists who visited India through Bombay, Delhi and Calcutta airports during the years 1973-75, airport-wise;

(b) whether Government have taken or propose to take steps for increasing the traffic of foreign tourists through the above airports during the year 1975-76; and

(c) if so, facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) The break-up of the number of foreign tourists who disembarked at Bombay, Delhi and Calcutta airports during each of the years, 1973, 1974 and 1975 is given below:—

	1973	1974	1975
Bombay	123,398	132,841	151,910
Delhi	136,740	142,328	147,233
Calcutta	29,667	27,293	29,258

(b) and (c). The international Airport Authority of India is seized of the problems of increasing facilities at the three international airports mentioned above. Modifications have been carried out at the airport terminals. A new international complex at Bombay has been sanctioned. Apart from the facilities at the international airports, the Department of Tourism has undertaken several measures to

increase the inflow of tourists to India. Among the measures taken are:

1. Introduction of 'Discover India' promotional fares payable in foreign-exchange on Indian Airlines. The fares are US \$ 208 for 14 days and US \$ 275 for 21 days of unrestricted travel on domestic sectors of Indian Airlines.

2. Introduction by Indian Railways of 'Travel as you like' tickets for foreign tourists for 21 days unrestricted travel at a cost of US \$ 200 for air-conditioned class, US \$ 80 for first-class/air-conditioned chair and US \$ 25 for second class.

3. Landing permit facilities which provide visa free entry to foreign tourists have been allowed for 28 days.

4. Liberalisation of regulations regarding the entry of foreign tourists to some of the restricted areas in the Himalayas.

5. Bilateral agreements have been made with West Germany, Yugoslavia, Nordic countries and Bulgaria for the abolition of visas for stay upto 90 days.

6. Visa fees for a number of countries have been abolished on a reciprocal basis.

7. Over five million units of tourist literature were produced in 1975 in 10 foreign languages for publicity overseas.

8. A new tourist office has been opened in Kuwait to tap the tourist market of West Asia.

9. As part of the publicity drive, Tourism Department invites every year travel agents/travel writers/journalists/TV/film producers from abroad for familiarisation visits to India.

10. Incentives are given to hoteliers and travel agents for publicity overseas by way of release of foreign-exchange.

11. As a result of the efforts made by Department of Tourism, almost all the State Governments/Union Territories in India have accepted the scheme for inter-State movement of tourist vehicles on single point taxation basis.

Compulsory Deposits of Industrial Workers

1405. SHRI INDRAJIT GUPTA. Will the Minister of FINANCE be pleased to state:

(a) the total amount Government have collected from the industrial workers on account of compulsory deposits;

(b) whether Government have given statement of accounts of these deposits to the workers in July, 1975; and

(c) if so, the facts thereof?

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): (a) Under the Additional Emoluments (Compulsory Deposit) Act, 1974 three separate Schemes have been framed for (i) Government employees, (ii) Local Authority employees and (iii) Employees other than employees of Government and Local Authorities. Different Nominated Authorities administer the schemes for the three different categories of employees and these Nominated Authorities maintain only employer-wise accounts. Detailed employee-wise accounts of deposits are maintained by the respective employers who are the Specified Authorities. In this arrangement the total amount of compulsory deposits on account of industrial workers is not separately classified and this information is therefore, not available. However, the deposits received in account till 12th March 1976 with the Nominated Authorities under the employees other than employees of Government and Local Authorities Scheme amounted to Rs. 48.42 crores from additional wages and Rs. 345.10 crores from additional dearness allowance.

(b) and (c).. Under the provisions of the Act and Schemes framed thereunder the yearly statement of accounts is to be furnished to every employee, indicating the amounts credited to the Deposit Accounts in relation to that employee, by the respective employer and not by Government. The question of Government giving such statements of accounts to workers in July 1975 did not therefore arise.

**Sale of Handloom Products through
Public Distribution System**

1406. SHRI B. S. BHURA:
SHRI Y. ESWARA REDDY:

Will the Minister of COMMERCE
be pleased to state:

(a) whether Government have a
proposal under consideration to sell
handloom products through the public
distribution system; and

(b) if so, facts thereof?

THE DEPUTY MINISTER IN THE
MINISTRY OF COMMERCE (SHRI
VISHWANATH PRATAP SINGH):
(a) and (b). A decision has been taken
to entrust production of dhoties and
sarees of controlled specifications to
the handloom sector. The modalities
and arrangements for the implemen-
tation of this decision, including dis-
tribution arrangements, are being
worked out.

**Appointment of Directors in Nationa-
lised Banks**

1407 SHRI P. R. SHENOY: Will
the Minister of FINANCE be pleased
to state the guiding principles in the
appointment of Directors in the nationa-
lised banks?

THE MINISTER OF STATE IN
CHARGE OF DEPARTMENT OF THE
REVENUE AND BANKING (SHRI
PRANAB KUMAR MUKHERJEE):
The criteria for appointment of Direc-
tors on the Boards of the nationalised
banks are laid down in clause 3 of
the Nationalised Banks (Management
and Miscellaneous Provisions) Scheme,
1970.

Indian Consultancy Firms abroad

1408. DR. RANEN SEN: Will the
Minister of COMMERCE be pleased to
state:

(a) number of Indian Consultancy
firms operating outside India; and

(b) name of countries where there
Consultancy firms are working and
the nature of their work?

THE DEPUTY MINISTER IN THE
MINISTRY OF COMMERCE (SHRI
VISHWANATH PRATAP SINGH): (a)
and (b). A list of the current over-
seas assignments on Indian Consultan-
cy Organisations, together with the
country and description of the project
is placed on the Table of the House.
[Placed in Library. See No. LT-10552/
76].

Production of Standard Cloth

1409 SHRI SOMNATH CHATTER-
JEE: Will the Minister of COMMERCE
be pleased to state when production of
standard cloth is expected to be re-
sumed by mills who had suspended its
production?

THE DEPUTY MINISTER IN THE
MINISTRY OF COMMERCE (SHRI
VISHWANATH PRATAP SINGH):
At no stage during the operation of
the controlled cloth scheme, suspension
of the production of controlled cloth
has been allowed. However, only re-
cently financially weak mills, which
have been shown carry-over losses
after accounting for reserves, have
been made eligible to exemption
from production of controlled cloth for
a period of one year.

पर्यटक केन्द्रों पर सस्ते होटल

1410. श्री मूलचन्द डागा : क्या पर्यटन और नागर विमानन मंत्री यह बताते की कृपा करेंगे कि :

(क) क्या सरकार ने सस्ती दरों पर सस्ते होटल खोलने के कोई प्रबन्ध किये हैं जिससे साधारण जनता पर्यटक केन्द्रों की यात्रा कर सके; और

(ख) यदि हाँ, तो उन स्थानों के नाम क्या हैं जहाँ पर ऐसे होटल अभी तक खोले गये हैं जिनमें साधारण पर्यटक ठहर सके और इनके द्वारा क्या किराया लिया जाता है ?

पर्यटन और नागर विमानन मंत्रालय में राज्य मंत्री (श्री सुरेन्द्र पाल सिंह) :

(क) भारत पर्यटन विकास निगम, जो कि एक सरकारी उद्यम है, देश के पर्यटक दृष्टि से महत्वपूर्ण अनेक स्थानों पर होटलों, मोटलों, कुटीरों और यात्री लाजों का संचालन करता है, जिनमें से कई मध्यम आय वर्ग के पर्यटकों की आवासीय आवश्यकताओं की पूर्ति कर सकते हैं।

(ख) एक विवरण सभा पटल पर रखा गया है। [संख्या L.T-10553/76]

आयकर अधिकारियों द्वारा छावों के दौरान सोने के सिक्के बरामद करना

1411. श्री मूल चन्द डागा : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय आयकर अधिकारियों ने जयपुर के जयगढ़ किले और आमेर को मिलाने वाली सुरंग के बीच एक अन्य सुरंग के तहखाने से मई 1975 में काफी मात्रा में चाकमानिस्तानी अशुद्धियाँ (सोने के सिक्के) और हीरे जवाहरात बरामद किये थे और यदि हाँ, तो उनका मूल्य क्या है ;

(ख) क्या किसी व्यक्ति ने इसके लिये

दावा पेश किया है ; और

(ग) यदि हाँ, तो किसने दावा किया है और इस बारे में क्या फैसला किया गया है ?

राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री (श्री प्रणब कुमार मुखर्जी) :

(क) आयकर अधिकारियों ने ऐसी किसी सुरंग का पता नहीं लगाया था। अतः उससे सोने के सिक्के/जवाहरात बरामद करने का प्रश्न नहीं उठता है।

(ख) और (ग). ये प्रश्न नहीं उठते।

सीमेंट, मिट्टी के तेल और कोयले के भावों में वृद्धि

1412. श्री मूलचन्द डागा : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) गत एक वर्ष के दौरान सीमेंट, मिट्टी के तेल और कोयले के भावों में कितने प्रतिशत वृद्धि हुई है और इसके क्या कारण हैं; और

(ख) जनवरी 1975 में ये चीजे किस भाव पर मिलती थी और इनकी वर्तमान कीमतें क्या है ?

वित्त मंत्री (श्री सी० सुब्रह्मण्यम्) :

(क) और (ख) : कोयले, मिट्टी के तेल और सीमेंट के बोर मूल्यों के सूचकांक और उनमें प्रतिशत होने वाली वृद्धि का व्योरा नीचे

दिया गया है :-

शोक मूल्यों का सूचकांक (1961-62=100)

	जनवरी 1975	जनवरी 1976	जनवरी 1975 कि मुद्रावर्धन जनवरी 1976 में होने वाली प्रतिशत वृद्धि ।
1. कोयला .	244.3	331.6	+35.7
2. बिट्टी का तेल	340.5	405.8	+19.2
3. सीमेंट .	248.4	260.2	+4.8

कोयले की कीमत में वृद्धि मुख्यतः मजदूरी बढ़ाए जाने के कारण करनी पड़ी और इनका प्रभाव सीमेंट के मूल्यों पर भी पड़ा। जहां तक बिट्टी के तेल का संबंध है, इसकी कीमत बाहर से मंगाए जाने वाले कच्चे तेल की कीमत पर निर्भर करनी है और परिणामतः इसकी कीमत में समय-समय पर ऊँच-ढल किए गए हैं। तथापि इन सभी मामलों में सरकार की हमेशा यह कोशिश रही है कि इनका उप-भोग मूल्यों पर यथासंभव कम से कम असर पड़े।

राज्यों की ओर बकाया केन्द्रीय ऋण

1413. श्री मूलचन्द डाया : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि इस समय विभिन्न राज्यों की ओर केन्द्र सरकार का कितना कितना ऋण किस किस वर्ष से बकाया है और प्रत्येक राज्य को उस पर प्रति मास कितना व्याज चुकाना पड़ता है?

वित्त मंत्री (श्री सी० सुब्रह्मण्यम) : एक विवरण सभा-द्वारा पुर रखा दिया गया है जिसमें यह बताया गया है कि वर्ष 1974-75 के अन्त में जिसके खाते बन्द किए जा चुके हैं, प्रत्येक राज्य पर केन्द्रीय ऋणों की कितनी रकम बकाया थी।

ये बकाया रकमें विभिन्न वर्षों में समय-समय पर किए गए उधारों की हैं; इनमें सबसे पहला वर्ष 1948-49 का है। छठे वित्त आयोग की सिफारिशों के अनुसार, 1973-74 के अन्त में राज्यों पर बकाया अग्रिकांश उधारों का, एकीकरण करके 1 अप्रैल, 1974 में उन्हें नए ऋणों का रूप दे दिया गया था, जिनकी वापसी की शर्तें अधिक उदार थीं।

उधारों की बकाया रकमों के व्याज की दरें भिन्न भिन्न हैं; व्याज वार्षिक रूप से देय होगा। 1974-75 में प्रत्येक राज्य में लिए गए व्याज की रकम सभा पटल पर रखे गए विवरण के कालम 4 में दी गई हैं जो सभा पटल पर रखा गया है। [संघ.लय में रखा गया। देखिये संख्या LT-10554/76]

Investments made in Sick Textile Mills

1414. SHRI BHOGENDRA JHA: Will the Minister of COMMERCE be pleased to state:

(a) the total amount of investments made by Government in the 183 sick textile mills since the take-over, the total yardage and value of cloth produced by these units, year-wise since take over, the profit made or loss incurred and plans for ensuring continued profitability; and

(b) what specific steps have been or are being taken by the National Textile Corporation to diversify and improve quality of produce to ensure profits?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Investments, including loans, from the Central Government as well as the State Governments concerned with the nationalised sick textile mills so far total Rs. 126.38 crores.

The production and profit/loss of these mills during the last five years is as follows:—

PRODUCTION

Year	Cloth (Qty in million metres)	Market yarn (Qty in million Kgs.)	Total Value (Rs. crores)
1971	437.56	4.45	73.48
1972	583.82	10.88	113.08
1973	806.10	44.84	214.42
1974	874.79	49.71	292.41
1975	786.65	48.16	247.65

PROFIT/LOSS (Provisional)

Year	Net Profit/loss (Rs. crores)
1971-72	(—) 7.44
1972-73	(+) 2.33
1973-74	(+) 18.37
1974-75	(—) 34.58
1975-76 (Upto January, 76)	(—) 53.30

In order to arrest losses and to ensure profitability of the mills the fol-

lowing measures have been or are being taken:—

- (i) Additional funds have been sanctioned to the mills through NTC for better financial management.
- (ii) Modernisation programme of the order of Rs. 175 crores has been chalked out for these mills. By end of December 1975 programme worth Rs. 21 crores has been implemented.
- (iii) Programme for rationalisation of labour with the consent of the labour unions, providing for full payment of retirement benefits, is being implemented.
- (iv) Direct marketing of yarn/cloth is being increasingly undertaken in order to improve realisation.
- (v) Arrangements have been made for procurement of raw materials and other items of consumption, through bulk purchases, wherever bulk purchase is advantageous.
- (vi) Bipartite bodies consisting of representatives of management and labour are being set up at the subsidiary level of the NTC.

(b) The following measures are taken in order to ensure diversification of production and improvement in the quality of product;

(1) While drawing up modernisation programmes provision is made, wherever possible, for the diversification of production.

(2) The net-work of retail outlets organised by N.T.C. enables the products of N.T.C. mills reach the consumer direct making it possible to assess the consumer taste and preference. This knowledge helps the mills to re-orient their production pattern to suit the consumer requirements.

(3) Efforts are made to set up central testing laboratories for improving the quality of yarn and cloth.

(4) Steps are being taken to diversify the production from lower reed pick sort to higher reed pick sort so as to improve the quality.

Indianisation of Hindustan Lever Ltd.

1415. SHRI D. K. PANDA: Will the Minister of FINANCE be pleased to state:

(a) whether 92 foreign companies have been asked to reduce their non-resident interests to 74 per cent;

(b) whether 125 foreign companies have been asked to reduce their non-resident interests to 40 per cent;

(c) if so, in which of the two categories the Reserve Bank of India has put M/s. Hindustan Lever Ltd.; and

(d) by which date Hindustan Lever Ltd. is expected to comply with the instructions of Reserve Bank of India in this connection?

THE MINISTER OF FINANCE (SHRI C SUBRAMANIAM) (a) and (b). Yes, Sir.

(c) and (d). The name of M/s. Hindustan Lever Ltd is not included in any of the two categories referred to in (a) & (b) above. Its application under Section 29(2) (a) of the Foreign Exchange Regulation Act, 1973 for permission to continue to carry on its existing activities is under examination.

पशुओं का निर्यात

1416. श्री शंकर दयाल सिंह : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि गत एक वर्ष में कौन कौन से और कितने

पशु किस किस देश को निर्यात किए गये और उससे कितनी विदेशी मुद्रा प्राप्त हुई।

वाणिज्य मंत्रालय में उपस्थित (श्री विश्वनाथ प्रताप सिंह): 1974-75 के दौरान पशुओं के देशवार निर्यात दर्जित वाला एक विवरण सभा पटल पर रखा गया है।

[संवाक्य में रखा गया इसलिए संख्या LT-10555/76]

एम०एम०टी०सी०, 'मिटको' के पास एक अन्नक के आपूर्ति आवेदन

1417. श्री शंकर दयाल सिंह : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि

(क) एम० एम० टी० सी० अन्नक 'मिटको' के पास इस समय कितने देशों में किन-किन किस्मों के कितने पशुओं के अन्नक के आदेश आपूर्ति के लिए हैं;

(ख) इनकी आपूर्ति कब तक की जाएगी और

(ग) अन्नक निर्यात व्यापार को बढ़ावा देने के लिये और नये बाजार खोलने के लिए सरकार द्वारा क्या कार्यवाही की जा रही है?

वाणिज्य मंत्रालय में उपस्थित (श्री विश्वनाथ प्रताप सिंह) : (क) श्री (ख) अन्नक व्यापार निगम द्वारा की गई सविदाओं के आधार पर ऐसी आपूर्तियों का, जो अभी की जा रही है, मूल्य लगभग 12 करोड़ रु० है। इनमें ये किस्में आती हैं ब्लाकम, कबेन्सर फिल्मे, स्पलिटिड तथा स्क्रैप। ये सविदाएं आठ प्रमुख आयातक देशों के साथ की गई हैं। आपूर्तियां 1976 की अवधि के दौरान की जानी हैं।

(ग) निर्यातों को व्यापक बनाने के लिए अन्नक की न्यूनतम कीमतों में संशोधन किया गया है। इसके अतिरिक्त सरकार ने

अधक के उदायन तय विहित बढ़ाने के उपायों के बारे में उन्हें समझ देने के लिए अधक सलाहकार समिति गठित की है। नये बाजा में का पता लगाने के लिए समय समय पर अध्ययन किए जाते हैं।

राष्ट्रीयकृत बैंकों में डाके धीर चोरी की घटनाएँ

1418. श्री शंकर दयाल सिंह : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि:

(क) ग.ए.ए.क. के दौरान राष्ट्रीयकृत बैंकों में डाके धीर चोरी की कितनी घटनाएँ हुईं ;

(ख) इन घटनाओं में विभिन्न बैंकों से बैंक तार कुल कितनी धनराशि लूटे गई ; और

(ग) इनमें से कितने मामलों में चोरराशि पकड़े गए और उनमें क्या, क्या सजाएँ हुईं ?

राज्य धीर बैंकिंग विभाग के प्रबारी सचिवजी (श्री अश्व कुमार मुखर्जी):

(क) : भारतीय रिजर्व बैंक द्वारा दी गई सूचना के अनुसार 1975 वर्ष में सरकार के क्षेत्र के बैंकों में डकैती की 3 और चोरी की 24 बारदास्त हुई थीं।

(ख) : इन डकैतियों और चोरियों में अन्तर्ग्रस्त, भारतीय रिजर्व बैंक द्वारा सूचित की गई राशि निम्नलिखित है -

डकैती :

1. सेंट्रल बैंक आफ इंडिया - 7,00,000 रु०
2. पंजाब नेशनल बैंक - 73,291 रु०
3. भारतीय स्टेट बैंक - 36,559 रु०

चोरी :

व्याप्त राशि

क्रम सं०	बैंक का नाम	घटनाओं की संख्या	नकदी की चोरी	अन्य वस्तुएं
1	2	3	4	5
			रु०	रु०
1.	इलाहाबाद बैंक	1	70,000.00	शून्य
2.	बैंक आफ बड़ोदा	8	20,000.00	1,776.25
3.	बैंक आफ महाराष्ट्र	2	31,390.00	शून्य
4.	केनरा बैंक	1	5,200.00	शून्य
5.	सेंट्रल बैंक आफ इंडिया	3	2,56,834.85	शून्य
6.	देना बैंक	1	1,22,343.00	शून्य
7.	पंजाब नेशनल बैंक	2	1,000.00	1,34,000.00
8.	सिड्डीकोट बैंक	3	22,900.00	शून्य
9.	यूनाइटेड बैंक आफ इंडिया	1	शून्य	25,837.48
10.	स्टेट बैंक आफ हैदराबाद	1	40,000.00	शून्य
11.	स्टेट बैंक आफ पंजाब	1	40,972.60	शून्य

(ग). जहाँ तक इकैती की 3 बारदात का संबंध है, संबंधित बैंकों ने मामलों को पुलिस में दर्ज करा दिया है और जांच चल रही है। बोरी के मामलों के संबंध में यथा उपलब्ध सूचना इकैती की जायेगी और सदन के पटल पर रख दी जायेगी।

Export of cashew kernels and import of raw cashew

1419. SHRI P. R. SHENOY: Will the Minister of COMMERCE be pleased to state-

(a) the total quantity of cashew kernels exported from India in 1975, country-wise;

(b) the total quantity of raw cashew imported during this period; and

(c) the result achieved during that year and the steps taken to increase the indigenous production of raw cashew?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) 58,449 metric tonnes (provisional).
The country-wise break up is as follows:
Quantity in Metric Ton

1. Australia	2185
2. Canada	2761
3. France	475
4. F. R. Germany	575
5. Hongkong	864
6. Japan	3769
7. Kuwait	499
8. Netherlands	1447
9. U. K.	801
10. U.S.A.	18376
11. U.S.S.R.	24372
12. Singapore	509
13. Others	1816
TOTAL	58449

(b) 134,266 metric tonnes (provisional).

(c) After deducting the amount spent on import of raw nuts, the net earnings from export of cashew kernels during 1975 is estimated to amount to Rs. 71.97 crores approximately.

The programmes for development of cashew are being implemented both in the State Sector and Central Sector of the Plan. The State Sector Schemes mainly intend to increase the area through Area Expansion Programmes for which a target of 1.31 lakh hectares has been fixed. In the Central Sector, Schemes focussed on the production of high yielding plants from selected parental trees and demonstrations for improved practices are under implementation. These programmes are likely to yield a total additional production of about 10,000 tonnes at the end of the fifth Plan.

Profits before tax earned by Nationalised Banks

1420. SHRI P. R. SHENOY: Will the Minister of FINANCE be pleased to state-

(a) the profits before tax earned by the nationalised banks in the year 1975, bank-wise; and

(b) the amounts transferred by these banks to the reserves?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):
(a) and (b). The audits of the accounts of the fourteen nationalised banks for the year 1975 are likely to be completed only by the end of April, 1976. There-

after, they will be placed before the Boards of the respective banks by about the middle of May 1976 for finalisation. Government will then only be in a position to know the figures of profit of the each bank and their appropriations after the Boards have passed the accounts.

भारतीय पर्यटन विकास निगम के प्रबंध के अन्तर्गत संत संचालित होटलों से विदेशी मुद्रा की आय

1421. श्री राधाचतार शास्त्री

डा० लक्ष्मीनारायण पांडेय :

क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारतीय पर्यटन विकास निगम के प्रबंध के अन्तर्गत संचालित होटलों में सरकार को प्रतिवर्ष विदेशी मुद्रा की आय होती है ;

(ख) यदि हा, तो वर्ष 1974-75 और वर्ष 1975-76 के दौरान प्रत्येक होटल से अर्जित विदेशी मुद्रा का व्योग क्या है और,

(ग) विदेशी मुद्रा आय में और अधिक वृद्धि करने के लिए सरकार ने क्या कार्यवाही की है ?

पर्यटन और नागर विमानन मंत्रालय में राज्य मंत्री (श्री सुरेन्द्र फाल सिंह)

(क) जी, हा ।

(ख) भारत पर्यटन विकास निगम द्वारा 1974-75 की दो छाहियों में तथा 1975-76 की पच्ची छाहरी में मीरे अर्जित की गयी तथा बैंक में डाली गयी विदेशी मुद्रा की गणि को दिखाने वाला एक विवरण सभा पटल पर रखा गया है [प्रधान्य में रखा गया। देखिये संख्या LT-10556/76]

(ग) विदेशी मुद्रा की आय को बढ़ाने के उद्देश्य से भारत आने वाले पर्यटक यातायात के प्रवाह की अभिवृद्धि के लिये सरकार द्वारा किये गये उपायों में से कुछ निम्नलिखित हैं :-

(1) बीजा औपचारिकताओं का उदारीकरण जिससे अंतर्गत विदेशी पर्यटकों को 28

दिन तक की अवधि के लिये अवतरण परमिटों पर बिना बीजा के भारत आने की अनुमति दी गयी है ।

(2) इंडियन एयरलाइंस तथा भारतीय रेलवेज पर ऋणः विशेष भारत इवॉल तथा इच्छानुसार यात्रा (ट्रेवल एज यू लाइक) टिकटे जारी करना ।

(3) हिमानय, के कुछ प्रतिबंधित क्षेत्रों में पर्यटकों के प्रवेश पर लगे प्रतिबंधों का उदारीकरण ।

(4) भारत के पर्यटक आकर्षणों का प्रचार करने के लिए 10 विदेशी भाषाओं में प्रतिवर्ष साहित्य की 50 लाख प्रतियों का प्रकाशन ।

(5) पश्चिमी एशिया की नयी समुद्र पर्यटक मार्गों में पर्यटकों को आकर्षक करने के लिए कबूत में एक नया पर्यटक कार्यालय खोलना ।

(6) कई देशों के साथ पारस्परिक आघार पर बीजा शुल्क की समाप्ति ।

(7) भारत के लिए अधिक पर्यटकों को आकर्षक करने के लिए विदेशों में व्यापक विज्ञान अभियान । यात्रा लेखकों / पत्रकारों, यात्रा अभिकर्ताओं को परिचालक यात्राओं पर भारत आने के लिए पर्यटन विभाग के अनिवार्यों के रूप में नियुक्त ।

(8) चार्टर उडानों के मंत्र में विनियमों का उदारीकरण ।

(9) होटलों तथा यात्रा अभिकर्ताओं को विदेशों में प्रचार के लिए उन्हें विदेशी मुद्रा के विमोचन द्वारा प्रोत्साहन ।

(10) भारत पर्यटन विकास निगम ने स्टेशनबैंगर रिजर्वेशन मॉडल, यूटेल इंटर-नेशनल तथा जान मिल्लर, आस्ट्रेलेशिया आदि के माध्यम से प्रत्यक्ष आरक्षण सेवा के लिए व्यवस्था करके विदेशी यात्रा व्यवसाय पत्रिकाओं तथा अन्य समाचार माध्यमों में; विज्ञापन द्वारा विदेशों में अपने होटलों तथा अन्य सेवाओं को लोकप्रिय बनाने के लिए भी प्रयत्न किए हैं ।

क्षेत्रीय ग्रामीण बैंकों द्वारा ऋण देना

1422. श्री रामाचतार शास्त्री :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या क्षेत्रीय ग्रामीण बैंकों ने ग्रामीण लोगों को ऋण देने का कार्यक्रम प्रारम्भ कर दिया है ;

(ख) यदि हां, तो अब तक दिये गये ऋण एवं ऋण प्राप्त करने वाले व्यक्तियों का राज्य-वार ब्योरा क्या है, और

(ग) सरकार ने ऋण देने का कौन सा माप दंड निर्धारित किया है ?

राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री (श्री प्रणब कुमार मुखर्जी) :

(क) जी, हां ।

(ख) 3: फरवरी, 1976 के अन के उपलब्ध आंकड़ों के अनुसार उक्त अवधि तक स्थापित किये गये क्षेत्रीय ग्रामीण बैंकों में खातों की संख्या और उनके द्वारा दिये गये ऋणों की राशि के राज्यवार आंकड़े निम्न-लिखित हैं :

(राशि हजार रुपों में)		
राज्य	दी गई राशि	खातों की राशि
		संख्या
बिहार	85	32
हरयाणा	452	8,24
कर्नाटक	104	52
मध्यप्रदेश	441	1.48
उड़ीसा*	—	—
राजस्थान	299	1.44
उत्तर-प्रदेश	5543	10,97
पश्चिम बंगाल	900	5,34
जोड़	7824	28,31

*इस क्षेत्रीय ग्रामीण बैंक की स्थापना 25 फरवरी, 1976 को ही की गई थी

(ग) क्षेत्रीय ग्रामीण बैंकों को सलाह दी गई है कि वे नितांत रूप से छंटे और सीमांतिक किसानों, भूमिहीन मजदूरों, ग्रामीण शिल्पियों आदि की उत्पादनकारी सभी आवश्यकताओं को पूरा करने के लिए स्थूल प्रतिभूति पर जोर दिये बिना उन्हें ऋण दें । ऋण की राशि से प्राप्त की गई सम्पत्तियों को गिरवी रखकर और संयुक्त (कोओप्लीमेंट) जमानत पर ऋण संकूल किये जाते हैं ।

Grant of loans by S.B.I. and Nationalised Banks to farmers in Orissa

1423. SHRI P. GANGADEB: Will the Minister of FINANCE be pleased to state:

(a) whether any loans have been granted by the State Bank of India and the nationalised banks to the farmers in Orissa during 1974-75 and 1975-76; and

(b) if so, the amount thereof?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). The amount of outstanding direct agricultural advances to farmers by the State Bank of India and the nationalised banks in Orissa available as at the end of June, 1974 and June, 1975 (latest) were Rs. 275.42 lakhs and Rs. 442.38 lakhs (Provisional) respectively.

Export orders for capital goods

1424. SHRI P. GANGADEB: Will the Minister of COMMERCE be pleased to state:

(a) whether major export orders for capital goods have been received in January-February, 1976;

(b) if so, whether these orders are in addition to the steady rate of ex-

port contracting that has been already in progress for some time past; and

(c) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) to (c). From April to December, 1975, orders for capital goods worth Rs. 125.71 crores had been booked. During January, 1976, the following orders were booked:—

	Rs. crores
Sugar Plant	28.50
Water Treatment Plant	17.70
Complete Vehicles . .	4.31
Others	7.74
TOTAL	58.25

Information relating to bookings during February, 1976, is not yet available.

Loans from foreign countries

1425. SHRI SHANKERRAO SAVANT:

Will the Minister of FINANCE be pleased to state the rate of interest charged by foreign countries and institutions which have given loans to India during the year 1975-76 and the mode of this repayment?

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): The rate of interest charged by foreign countries/institutions on loans given to India during the year 1975-76 varies from nil to 8.9 per cent. These loans are repayable in foreign currency as specified in the respective agreements, over a period ranging from 10 to 50 years.

स्टेट बैंक की बुलन्दशहर शाखा द्वारा अनुसूचित जाति के किसानों और छोटे उद्यमियों को दिए गए ऋण

1426. श्री हरी सिंह : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वर्ष 1975 के दौरान स्टेट बैंक आफ इंडिया की बुलन्दशहर (उ० प्र०) शाखा द्वारा अनुसूचित जाति के किसानों और छोटे उद्यमियों को ऋण दिये गये थे ; और

(ख) क्या ऐसे अनेक आवेदन पत्र पिछले वर्ष सहीनों से उक्त बैंक में अनिर्णित पड़े हैं ?

राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री (श्री प्रणब कुमार मुखर्जी) :
(क) जी हाँ।

(ख) भारतीय स्टेट बैंक द्वारा अपनी बुलन्दशहर शाखा के बारे में जो स्थिति सूचित की गई है उससे पता चलता है कि इस शाखा में इस प्रकार का कोई ऋण आवेदन पत्र अनिर्णित नहीं पड़ा है।

मुराद नगर, जिला मेरठ (उत्तर प्रदेश) में स्थित पंजाब नेशनल बैंक द्वारा ऋण दिया जाना

1427. श्री हरी सिंह : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) मुराद नगर, जिला मेरठ उत्तर प्रदेश में स्थित पंजाब नेशनल बैंक से कितने किसानों, हथकरघा परिचालकों तथा अनुसूचित जाति के व्यक्तियों ने वर्ष 1975 में ऋण प्राप्त करने के लिये आवेदन-पत्र दिये और

(ख) इस बैंक ने उनमें से कितने लोगों को ऋण दिया ?

राज्य और बैंकिंग विभाग के प्रबारी
राज्य मंत्री (श्री प्रबुध कुमार मुन्शी) :
(क) और (ख), यथासम्भव सूचना इकट्ठी
की जा रही है और सदन के पटल पर रख दी
जायेगी।

World Bank Mission on Textile Industry

1428. SHRI D. D. DESAI: Will the
Minister of COMMERCE be pleased to
state:

(a) whether the World Bank Mis-
sion on Textile Industry has recom-
mended against mills going in for finer
counts of yarn; and

(b) if so, its implication for Indian
Textile Industry, cotton growers and
export of textiles?

THE DEPUTY MINISTER IN THE
MINISTRY OF COMMERCE (SHRI
VISHWANATH PRATAP SINGH):
(a) and (b). No formal report on the
subject has been received from the
World Bank. However, according to
the information available with the
Government, the World Bank team
has not categorically opposed the mills
going in for finer counts of yarn.

Apprentices in Indian Airlines

1429. SHRI RAJDEO SINGH. Will
the Minister of TOURISM AND CIVIL
AVIATION be pleased to state:

(a) how many apprentices are com-
pleting their three years/two years
courses in different trades in Indian
Airlines;

(b) whether all of them are pro-
posed to be absorbed in airlines under
Apprentices Act and Prime Minister's
20-Point Economic Programme; and

(c) if so, the broad outlines of the
programme for their absorption?

THE MINISTER OF TOURISM AND
CIVIL AVIATION (SHRI RAJ BAH-
DUR):

(a) 109 apprentices are under-
going full time apprenticeship—3 year
course (which includes—one/two years
spent in the Industrial Training Insti-
tutes) in different technical trades.

(b) and (c). It will not be possible
for Indian Airlines to automatically
absorb such apprentices receiving
training in the Organisation. Their
absorption will depend upon avail-
ability of vacancies and their suitability
vis-a-vis other candidates who may
apply for such jobs in response to
advertisements issued by the Corpora-
tion.

Offer for Sale of Planes to Indian Airlines

1430. SHRI ISHAQUE
SAMBHALI:

SHRI INDRAJIT GUPTA:

Will the Minister of TOURISM AND
CIVIL AVIATION be pleased to state:

(a) whether a sales team of British
Aircraft Corporation has made an
official offer to Indian Airlines for sell-
ing its BAC-111 series 500 and 475 as
replacement for the turbo-prop fleet;
and

(b) if so, the facts thereof and Gov-
ernment's reaction thereon?

THE MINISTER OF TOURISM AND
CIVIL AVIATION (SHRI RAJ BAH-
DUR): (a) and (b). The British Air-
craft Corporation of United Kingdom
have submitted proposals to Indian
Airlines for the sale of BAC-111 series
500 and 475. Indian Airlines are cur-
rently evaluating this plane alongwith
other short-haul jet aircraft as a possi-
ble replacement for the turbo-props
aircraft in their fleet.

Tax Evasion by National and Grindlays Bank and other Foreign Banks

1431. SHRI INDRAJIT GUPTA:

SHRI C. K. CHANDRAPPA:

Will the Minister of FINANCE be pleased to state:

(a) whether Government have set up special cell to investigate the leading cases of tax evasion of Grindlays Bank, First National City Bank and other foreign banks;

(b) if so, what are the findings of the investigations; and

(c) what action Government have taken against these banks?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) A Special Cell was set up in the Directorate of Inspection (Investigation) to investigate tax evasion by large industrial houses. This Cell has been associated with investigations in the case of M/s. Grindlays Bank. Investigations in respect of First National City Bank and other foreign banks have not yet been entrusted to this Cell.

(b) and (c). As a result of investigations in the case of Grindlays Bank, assessments for assessment years 1958-59, 1966-67 to 1970-71 have been reopened to assess income which had escaped assessment. The reopened assessments are pending because, on the writ petitions filed by the Bank before the Calcutta High Court, Rule Nisi and interim injunctions orders had been passed by the Court restraining the Department from proceeding with the reopened assessments till the disposal of the Rule. The Court is being moved for vacating these orders. Recently, action for reopening assessments for assessment years 1959-60 to 1965-66 has also been taken.

The last completed assessment of the Bank is for assessment year 1971-72.

As against returned income of Rs. 3.23 crores, income has been assessed at Rs. 4.13 crores. Penalty proceedings for concealment have also been initiated.

The Bank had not paid to the credit of the Government the Income-tax deducted by it at source from the interest paid or credited to certain non-resident customers and others. Such amounts to the tune of Rs. 12.77 lakhs have since been paid to the credit of the Government and interest of Rs. 13.915 for delayed payment has also been levied and collected.

Establishment of Handloom Development Corporation in Orissa

1432. SHRI ARJUN SETHI: Will the Minister of COMMERCE be pleased to state:

(a) whether the State Government of Orissa has requested the Central Government to establish a Handloom Development Corporation in the State and submitted a crash programme to the Textile Commissioner of India with a view to bring 50,000 weavers into the co-operative fold; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Yes, Sir.

(b) The Handloom Development Corporation in Orissa is to be established by the Government of Orissa. Extension of cooperative coverage in the handloom sector is one of the programmes for revitalisation and development of handloom sector. For the present, however, only schemes for intensive development and export production are being approved by the Central Government.

Increase in the Demand of Handloom Cloth of Orissa

1433. SHRI ANADI CHARAN DAS:
Will the Minister of COMMERCE be
pleased to state:

(a) whether demand and attraction for the handloom cloth of Orissa has increased in foreign countries;

(b) if so, whether Government have taken effective steps to increase their export; and

(c) the number of export licences given to private entrepreneurs and the number of proposals to issue such licences pending at present?

THE DEPUTY MINISTER IN THE
MINISTRY OF COMMERCE (SHRI
VISHWANATH PRATAP SINGH):

(a) Yes, Sir.

(b) The State Government has taken a decision to establish a processing house for improving the finish of fabrics meant for export and several new samples of traditional handloom cloth are being introduced for supply to the Handicrafts & Handlooms Export Corporation to promote their exports. Further an Export Agency under the Orissa State Handloom Weavers Cooperative Society Limited is also proposed to be set up. One export production project for the State of Orissa has been approved in principle which is expected to boost up exports of handloom cloth from Orissa.

(c) No export licence is required for export of handloom goods. In the case of countries, export to which is under quota restrictions, export is regulated by the issue of visa certificates.

Import of Long Staple Cotton from Egypt

1434. SHRI MANORANJAN HAZRA:
Will the Minister of COMMERCE be
pleased to state:

(a) whether the Cotton Corporation of India are going to import 25,000 bales of long staple cotton worth of Rs. 120 million according to the Indo-Egyptian Trade Agreement;

(b) if so, how this imported cotton will be allotted and by whom; and

(c) whether price equalisation will be there?

THE DEPUTY MINISTER IN THE
MINISTRY OF COMMERCE (SHRI
VISHWANATH PRATAP SINGH):

(a) Yes, Sir.

(b) Quota letters to mills will be issued by the Textile Commissioner on the basis of their average spindle-shift working.

(c) No, Sir.

Development of Vaishali as a Tourist Centre

1435. SHRI HARI KISHORE SINGH:
Will the Minister of TOURISM AND
CIVIL AVIATION be pleased to state:

(a) whether there is any proposal to develop Vaishali, the birth place of Lord Mahavira and the ancient seat of Lichvis, as a tourist centre of national importance; and

(b) if so, the salient features thereof?

THE MINISTER OF STATE IN THE
MINISTRY OF TOURISM AND CIVIL
AVIATION (SHRI SURENDRA PAL
SINGH): (a) and (b). Having regard to the limited financial resources, the Department of Tourism is concentrating its efforts in developing tourist centres which attract or have the potential to attract international tourist.

As the development of pilgrim centres visited by domestic tourists is primarily the responsibility of the State Government, the development of Vaishali would, therefore, fall within the purview of the State Government. A provision of Rs. 50 lakhs exists in

the draft Fifth Five Year Plan of the State Government for tourism schemes.

Duty-free entry of Indian Coir

1436. SHRI C. K. CHANDRAPPA: Will the Minister of COMMERCE be pleased to state:

(a) whether E.E.C. has assured India that it would continue duty free entry of Indian coir in 1976 also;

(b) if so, the main features thereof; and

(c) how far this would help our coir exports to E.E.C. countries?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) to (c). Entry of Indian coir to EEC is governed by the Coir Agreement signed between India and EEC in December, 1973. This Agreement which was due to expire on 31st December, 1975 has been allowed to roll on till end of June, 1976, pending a new Agreement to be reached in pursuance of discussions scheduled to be held by the end of March, 1976. The agreement provided for gradual reducing of the Common External Tariff on Coir by 40 per cent in the year 1974 and 60 per cent in the following year i.e., 1975. In pursuance of the agreement the EEC agreed to continue duty free entry into U.K. & Denmark. These arrangements will continue to be effective till the end of June, 1976.

Since 1972-73 our exports of Coir & Coir Manufactures to the EEC have gone up as per the statement given below:

	Rs. lakhs
1973-73 . . .	810
1973-74 . . .	823
1974-75 . . .	980

Black-Listing of the Firms and Individuals engaged in Import and Export Business

1437. SARDAR SWARAN SINGH SOKHI: Will the Minister of COMMERCE be pleased to state:

(a) the names of the individuals and firms, dealing in import and export business, black-listed during emergency and reasons therefor;

(b) the commodities imported and exported by them and the amount involved; and

(c) the steps Government have taken to check such cases in future?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). Between June, 1975 and February, 1976, debarment orders were issued in 458 cases, for infringement of licensing conditions and export and import trade control regulations. Particulars of all the import and export licences are published in the Weekly Bulletin of Industrial Licences, Import Licences and Export Licences. Copies of the said publication are made available regularly to the Parliament Library. Similarly, where action has been taken by way of denying import and export licences or issue of import and export licences has been suspended, the names of such firms and individuals and the nature of action taken are also published in the Weekly Bulletin of Industrial Licences, Import Licences and Export Licences.

(c) Several measures have been taken to minimise opportunities for abuse of import facilities. Actual Users have to maintain account of consumption of imported materials in a prescribed form. Utilisation of imported materials is also checked by sponsoring authorities. If imported material has not been used for two years, the importer has to report to the licensing authority.

Penalties provided for infringing the licensing conditions and for irregularities committed under the Imports and Exports (Control) Act, 1947 have been made more stringent.

Hotels run by I.T.D.C. at Santa Cruz and Calcutta Airports

1438. SARDAR SWARAN SINGH SOKHI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the new hotels run by India Tourism Development Corporation at Santa Cruz and Calcutta Airports have all the facilities of Five Star hotels; and

(b) the places where more Five Star hotels in the public sector are being constructed in the country?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) Of the 2 hotels, the one at Calcutta Airport only belongs to I.T.D.C. The other hotel at Santa Cruz Airport is owned by Hotel Corporation of India, a subsidiary of Air India. The Airport Hotel, Calcutta at present offers facilities of the 4-Star category hotel while Centaur Hotel at Santa Cruz Airport, has been planned to have facilities of the 5-Star category hotel.

(b) In the Fifth Five Year Plan of the India Tourism Development Corporation there is no provision for the construction of any new 5 star hotel.

Trade with Bangladesh

1439. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of COMMERCE be pleased to state:

(a) whether trade with Bangladesh has increased in 1975-76 as compared to 1974-75; and

(b) is it a fact that Bangladesh has now shown its disinterest in many

items which it used to import from India?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). Such a comparison is not presently possible due to non-availability of up-to-date trade statistics for 1975-76. During the trade talks, held between the two countries in New Delhi during January, 1976 the two sides have agreed to accelerate the rate of growth of trade.

Increase in Money Supply

1440. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of FINANCE be pleased to state; whether increase in money supply during 1975-76 is in proportion to the increase in national income?

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): Money supply with the public has recorded an increase of 8.8 per cent between 31 March, 1975 and 5 March, 1976. Data regarding increase in national income at current prices during 1975-76 are not available yet. However, at 1960-61 prices the growth of national income during 1975-76 is estimated at 5.5 per cent.

बौद्ध तीर्थ स्थानों पर ठहरने एवं भोजन की व्यवस्था

1441. श्री जन्मिका प्रसाद : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में बौद्ध-तीर्थ-स्थानों पर बौद्ध तीर्थ-यात्रियों के ठहरने एवं भोजन की कोई व्यवस्था है ; और

(ख) यदि हाँ, तो तत्सम्बन्धी संक्षिप्त रूपरेखा क्या है ?

पर्यटन और नागर विमान संज्ञासूचक में राज्य मंत्री (श्री सुरेश चाल सिंह) : (क) और (ख) अधिकांश बौद्ध-तोर्थ स्थानों पर यात्रीगृहों, पर्यटक बंगलों, निजी धर्मशालाओं आदि के रूप में आवास तथा भोजन सुविधायें उपलब्ध हैं।

पर्यटन विभाग ने प्रमुख बौद्ध केन्द्रों, यथा बौद्ध गया, सारनाथ, कुशीनगर, राजगिर, नालन्दा और श्रावस्ती को पांचवीं योजनावधि के दौरान सांस्कृतिक पर्यटन कार्यक्रम के अन्तर्गत विकास के लिये चुना है क्योंकि ये स्थान काफी बड़ी संख्या में विदेशों से बौद्ध पर्यटकों को आकृष्ट करते हैं। इन स्थानों के लिये मास्टर प्लान (भूमि प्रयोग प्लान) तैयार किये जा रहे हैं। प्रस्तावित सुविधाओं में आवास, यातायात, पानी व बिजली व्यवस्था, भू-दृश्यायोजन (लैंड स्केपिंग), संदर्शन (गाइड) सेवाएँ आदि शामिल हैं।

Indianisation of Foreign Companies

1442. SHRI ARVIND M. PATEL:
SHRI VEKARIA:

Will the Minister of FINANCE be pleased to state:

(a) the number of foreign companies which were functioning before the introduction of Foreign Exchange Regulation Act, 1973; and

(b) the number and names of foreign companies which have gone in for Indianisation according to the provisions made in this Act?

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): (a) The Foreign Exchange Regulation Act, 1973 came into force on 1st January 1974. The precise data on the number of foreign companies which were functioning before 1st January 1974 is not available. The Reserve Bank of India have, however, out of applications received by them compiled a list of companies covered by the provisions of

Section 29 of the Foreign Exchange Regulation Act, 1973. This number approximately comes to 800.

(b) A statement is laid on the Table of the House. [Placed in Library. See No. LT-10557/76].

12 hrs.

PAPERS LAID ON THE TABLE

DEFENCE SERVICES ESTIMATES, 1976-77

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): I beg to lay on the Table a copy of the Defence Services Estimates, 1976-77 (Hindi and English versions). [Placed in Library. See No. LT-10540/76.]

NOTIFICATIONS UNDER INCOME-TAX ACT, GOVERNMENT SAVINGS CERTIFICATES ACT AND CONSOLIDATED REPORT ON THE WORKING OF THE 22 PUBLIC SECTOR BANKS FOR 1974

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): I beg to lay on the Table—

(1) The Income-tax (Second Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. S.O 197(E) in Gazette of India dated the 15th March, 1976, under section 296 of the Income-tax Act, 1961. [Placed in Library. See No. LT-10541/76.]

(2) A copy each of the following Notifications (Hindi and English versions) under subsection (3) of section 12 of the Government Savings Certificates Act, 1959:—

(i) The National Savings Certificates (Fourth Issue) (Second Amendment) Rules, 1976, published in Notifica-

tion No. G.S.R. 371 in Gazette of India dated the 13th March, 1976.

- (ii) The Post Office Savings Certificates (Amendment) Rules, 1976, published in Notification No. G.S.R. 372 in Gazette of India dated the 13th March, 1976. [Placed in Library. See No. LT-10542/76.]

- (3) A copy of the Consolidated Report (Hindi and English versions) on the working of the twenty-two public sector banks for the year ended 31st December, 1974. [Placed in Library. See No. LT-10543/76.]

AIRCRAFT (AMENDMENT) RULES, 1976

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SUREN-DRA PAL SINGH): I beg to lay on the Table a copy of the Aircraft (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 69 in Gazette of India dated the 10th January, 1976, under section 14A of the Aircraft Act, 1934 together with an explanatory note. [Placed in Library. See No. LT-10544/76.]

REPORT OF THE CAG OF INDIA, FOR 1974-75, UNION GOVERNMENT (CIVIL)

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI): I beg to lay on the Table—

- (1) A copy of the Report (Hindi and English versions) of the Comptroller and Auditor General of India, for the year 1974-75, Union Government (Civil) under article 151(1) of the Constitution.
- (2) A copy of the Union Government Appropriation Accounts (Civil) for the year 1974-75 (Hindi and English versions).

[Placed in Library. See No. LT-10545/76.]

NOTIFICATIONS UNDER EXPORT (QUALITY CONTROL AND INSPECTION) ACT.

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub section (3) of section 17 of the Export (Quality Control and Inspection) Act, 1963:—

- (1) The Export of Frog Legs (Inspection) Second Amendment Rules, 1976, published in Notification No. S.O. 764 in Gazette of India dated the 21st February, 1976.
- (2) The Export of Light Engineering Products (Inspection) Rules, 1976, published in Notification No. S.O. 894 in Gazette of India dated the 28th February, 1976.
- (3) The Export of Chrome Pigments (Quality Control and Inspection) Amendment Rules, 1976, published in Notification No. S.O. 977 in Gazette of India dated the 6th March, 1976. [Placed in Library. See No. LT-10546/76.]

12.02 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:—

- (i) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Vote on

[Secretary-General]

12.04 hrs.

Account) Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 23rd March, 1976, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

- (ii) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Kerala Legislative Assembly (Extension of Duration) Amendment Bill, 1976, which has been passed by the Rajya Sabha at its sitting held on the 25th March, 1976."

- (iii) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in Rajya Sabha, I am directed to enclose a copy of the Gujarat State Legislature (Delegation of Powers) Bill, 1976, which has been passed by the Rajya Sabha at its sitting held on the 25th March, 1976."

BILLS AS PASSED BY RAJYA SABHA

SECRETARY-GENERAL: Sir, I lay on the Table of the House the following Bills, as passed by Rajya Sabha:—

- (1) The Kerala Legislative Assembly (Extension of Duration) Amendment Bill, 1976.
- (2) The Gujarat State Legislature (Delegation of Powers) Bill, 1976.

ASSENT TO BILLS

SECRETARY-GENERAL: Sir, I lay on the Table following Six Bills passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 9th March, 1976:—

- (1) The High Court Judges (Conditions of Service) Amendment Bill, 1976.
- (2) The Supreme Court Judges (Condition of Service) Amendment Bill, 1976.
- (3) The Appropriation (No. 3) Bill, 1976.
- (4) The Pondicherry Appropriation (No. 2) Bill, 1976.
- (5) The Nagaland Appropriation (No. 2) Bill, 1976.
- (6) The Tamil Nadu State Legislature (Delegation of Powers) Bill, 1976.

12.05 hrs.

RESIGNATION BY MEMBER

MR. SPEAKER: I have to inform the House that I have received a letter from Shri Sharad Yadav, an elected Member from Jabalpur constituency of Madhya Pradesh, resigning his seat in Lok Sabha. I have accepted his resignation with effect from today, the 26th March, 1976.

SHRI D. N. TIWARY (Gopalganj): Some time back, when Dr. Dhillon was the Speaker, it was passed here that only those resignations would be accepted which are presented personally and not through post office.

MR. SPEAKER In this case, the Member has not been able to present this personally and it is the responsibility of the chair to verify whether the resignation is voluntary and with-

out any duress. That has been verified and I have accepted the resignation.

SHRI H. M. PATEL (Dhandhuka): Is there any objection to your reading the letter? He must have given his grounds.

MR. SPEAKER: Only the fact of resignation and acceptance has to be reported to the House. The rules are clear; the letter is not to be read.

श्री शारदाशंकर राय (घोसी) : अध्यक्ष महोदय, आज यह दूसरी बटना हो रही है। कुछ दिन पहले श्री पद्म लिये का इस्तीफा स्वीकार किया गया था और आज श्री शरद यादव का इस्तीफा स्वीकार करने की घोषणा की गई है। भले ही आप पत्र न पढ़ें, लेकिन कृपया बता दें कि उन्होंने क्या वजह दी है।

अध्यक्ष महोदय : जिन्होंने इस्तीफा दिया है, उन्होंने स्वयं इस्तीफा दिया है और बिना किसी दबाव के दिया है, यही काफ़ी है। वजह में जाने की जरूरत नहीं है।

12.07 hrs.

PUBLIC ACCOUNTS COMMITTEE

TWO HUNDRED AND SECOND REPORT

SHRI PRIYA RANJAN DAS MUNSI (Calcutta-South): On behalf of Shri H. N. Mukerjee, I beg to present the Two Hundred and Second Report of the Public Accounts Committee on Action Taken by Government on the recommendations of the Committee contained in their Hundred and Forty-fourth Report on Paragraphs 44 to 47 of the Report of the Comptroller and Auditor General of India for the year 1972-73, Union Government (Civil) relating to the Department of Supply.

12.08 hrs.

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

FORTY-NINTH AND FIFTIETH REPORTS

SHRI D. BASUMATARI (Kokrajhar): I beg to present the following Reports of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes:—

- (1) Forty-ninth Report (Hindi and English versions) on Action taken by Government on the recommendations contained in Twenty-fifth Report on the Ministry of Home Affairs—Socio-economic conditions of Scheduled Castes and Scheduled Tribes in Arunachal Pradesh.
- (2) Fiftieth Report (Hindi and English versions) on Action Taken by Government on the recommendations contained in the Thirty-seventh Report on the Ministry of Finance (Department of Banking)—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in the Bank of India.

12.09 hrs.

JOINT COMMITTEE ON OFFICES OF PROFIT

SEVENTEENTH REPORT

SHRI PATTABHI RAMA RAO (Rajamundry): I beg to present the Seventeenth Report of the Joint Committee on Offices of Profit.

12.09-1/2 hrs.

STATEMENT RE ACCIDENT TO A DTC BUS

The Minister of Shipping and Transport (Dr. G. S. Dhillon): On 12-3-1976 double decker bus No....

MR. SPEAKER : If it is a long statement, please lay it on the Table of the House.

DR. G. S. DHILLON: Sir, I beg to lay on the Table a statement regarding the accident on the 12th March, 1976 involving a double-decker bus of Delhi Transport Corporation.

STATEMENT

On 12-3-76 double decker bus No. DLP-1512, belonging to DTC and operating on route No. 750 met with an accident. The bus overturned while proceeding towards Arya Samaj Road from R. K. Puram, when the driver tried to take a sharp turn towards Link Road from Sardar Patel Marg. On receipt of information about the accident, the concerned Depot Manager of the Corporation rushed to the spot. According to his report, 45 persons (including the Driver and two Conductors), out of the 80 persons who were travelling in the overturned bus, received minor injuries.

The injured persons were rushed to Willingdon Hospital for medical aid by the Fire Brigade Squad, which arrived at the site of the accident. 41 of the injured persons, including one of the conductors, were discharged from the Hospital on the same day i.e. 12-3-76. The bus driver and two other passengers were discharged on 13-3-76. The last person who remained in the Hospital, namely, the second Conductor of the bus was also discharged from the Hospital on the 14th March, 1976. No person died on the spot or in the hospital as a result of the accident.

The Depot Manager, who covered the accident, did not find any passenger in such a condition as to merit immediate ex-gratia financial assistance from the Corporation. All the injured persons were provided tea, bread and milk by the D. T. C.

From the report of the Depot Manager, it appears that the cause of overturning of the double decker bus was rash and negligent driving on the part of the bus driver. The Police have registered a case against the Driver under Section 279 and 337 of the I.P.C. vide FIR No. 69, at the Chankyapuri Police Station. The Driver was arrested on the same day but was later released on bail. Policy investigations are under way.

The Driver and the Conductors, who were on duty with the bus and received injuries are still on medical leave.

Detailed department investigation into the accident can only be carried out when they resume duty.

It is understood that the Delhi Police have taken up with the N. D. M. C. about the provision of a divider on Sardar Patel Marg to prevent drivers of vehicles from taking sharp turns at excess speed and help in controlling rash and negligent driving. In addition, the traffic police have also taken massive steps to impart road safety education to all categories of road users and have launched a multimedia campaign, through road safety lectures, films, T. V. and Radio talks, observance of safety week, sponsored radio plays, hoardings, banners, slides, posters, pamphlets and other road safety literature. D. T. C. have also issued suitable instructions to the staff to avoid such accidents in future.

12.11 hrs.

BUSINESS OF THE HOUSE

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): With your permission, Sir, I rise to announce that Government Business in this House during the week commencing from 29th March, 1976 will consist of: —

- (1) Consideration and passing of the following Bills, as passed by Rajya Sabha: —
 - (a) The Gujarat State Legislature (Delegation of Powers) Bill, 1976.
 - (b) The Kerala Legislative Assembly (Extension of Duration) Amendment Bill, 1976.
- (2) Consideration of any item of Government Business carried over from today's Order Paper.
- (3) Consideration and passing of the following Bills, as passed by Rajya Sabha:—
 - (a) The Indian Standards Institution (Certification Marks) Amendment Bill, 1976.
 - (b) The Maternity Benefit (Amendment) Bill, 1976.
- (4) Discussion on the Resolution regarding Road Development.

As members are aware, the House will take up from 31st March, 1976 the Demands for Grants in respect of the General Budget for 1976-77, the timetable in respect of which has already been circulated to members through Lok Sabha Bulletin of 23rd March, 1976.

12.13 hrs.

GUJARAT APPROPRIATION BILL*, 1976

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHTAGI): One behalf of Shri C. Subramaniam, I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year 1976-77.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year 1976-77."

The motion was adopted.

Shrimati Sushila Rohatgi: I introduce the Bill.

I beg to move:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year 1976-77, be taken into consideration."

MR. SPEAKER: The question is:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Gujarat for the services of the financial year 1976-77, be taken into consideration."

The motion was adopted.

*Published in Gazette of India Extraordinary, Part II, section 2, dated 26-3-76.

†Introduced/moved with the recommendation of the Presidents.

MR. SPEAKER: Now, the question is:

"That clauses 2 and 3, the Schedule, clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRIMATI SUSHILA ROHATGI:
I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

12.15 hrs.

IRON ORE MINES AND MANGANESE ORE MINES LABOUR WELFARE CESS BILL AND IRON ORE MINES AND MANGANESE ORE MINES LABOUR WELFARE FUND BILL—contd.

MR. SPEAKER: Now, we take up further consideration of the Iron Ore Mines and Manganese Ore Mines Labour Welfare Cess Bill as also the Labour Welfare Fund Bill. Time already taken is 30 minutes. The balance is 2 hours 30 minutes. Mr. Jharkhande Rai to continue his speech.

Mr. Jharkhande Rai.

श्री झारखण्डे राय (बोर्सा) : अध्यक्ष महोदय, मैं कल यह बताना चाहता था कि सभी मजदूरों में खान के मजदूर इस बात के सब से ज्यादा मुस्तहक है कि सभाज, राज्य, विभाग और उनका भला चाहने वालों के द्वारा उन के कल्याण के लिए काफी अधिक काम किया जाये। इस दिशा में यह बिल काफी अच्छा कदम बढ़ाता है, इसीलिए मैंने इस का समर्थन किया है। इस पूरे विधेयक की मूल आत्मा

स्टेटमेंट आफ प्रोजेक्ट्स एण्ड रीजन्स में दिये गये केवल एक वाक्य के द्वारा प्रकट होती है, जिसको मैं उद्धृत करता हूँ :

"Welfare facilities which are at present being enjoyed by worker in mica, coal, iron ore and limestone and dolomite mines industries are proposed to be made available to workers in manganese mines also."

कुछ सुविधायें, जो कुछ प्रकार के खान-मजदूरों को प्राप्त थीं, उन का विस्तारण मैंगनीज और माइन्स में किया गया है, इसलिए यह एक प्रगतिशील, वामपंथी और श्रमिकों के लिए कल्याणकारी विधेयक है। स्वयं मंत्री महोदय ने कल अपने भाषण में कहा कि यह विधेयक मैंगनीज और माइन्स में काम करने वाले मजदूरों के भले के लिए लाया गया है।

मैं इसको एक वामपंथी विधेयक मानता हूँ। इस समय भारतीय राजनैतिक अन्तरिक्ष पर दूर-दूर से एक आवाज उठ रही है कि देश में न कोई वामपंथ है और न दक्षिण पंथ है—न वाम है और न दक्षिण है। इस बात का प्रचार हिन्दुस्तान के एकाधिकारी पूँजीवादी अखबारों ने पूरे देश में किया है, और लगातार करते जा रहे हैं। ऐसा मालूम होता है कि एक नये प्रकार के मसीहा भारतीय राजनैतिक रंगमंच पर अवतरित किये जा रहे हैं। ऐसे अवतरन कगने के कौन-कौन शक्तियाँ और तत्व काम कर रहे हैं, इस पर पर्दा धीरे-धीरे उठेगा। एक मसीहा श्री जय प्रकाश नारायण को इन पूँजीपति अखबारों ने बनाया और उन्हें चंडीगढ़ जेल में पहुंचा दिया। फिर जखलोक अस्पताल में और फिर जीवन के अंत्य कगार पर। अब यही एकाधिकारी पूँजीवादी अखबार "न दक्षिण पंथ और न वाम पंथ"

का नया नारा झण्डा और प्रचारित कर छेड़कर हिन्दुस्तान में एक नये प्रकार के मसीहा का अवतरण कराना चाहते हैं, उसमें पता नहीं क्या उनका लक्ष्य है और क्या वह कराना चाहते हैं। यह इतिहास और यथार्थ का नकार है। हमारे देश के स्वतन्त्रता संग्राम का पूरा इतिहास इस बात का साक्षी है कि और स्वयं साम्राज्यवाद विरोधी राष्ट्रीय मोर्चा कांग्रेस का भी इतिहास इस बात का साक्षी है कि दक्षिण और दाम पक्ष की विचारधारा हमारे देश में रही है। वे लोग जो अंग्रेजों के साथ रहते थे, चलते थे, उनका राजा चलाते थे और चाहते थे कि उनका राज यहाँ बना रहे वे दक्षिण पथी विचारधारा के लोग थे और कांग्रेस थे; अन्दर और कांग्रेस के बाहर जो लोग अंग्रेजों का राज यहाँ नहीं चाहते थे उसकी समाप्ति चाहते थे वे दामपथी विचार धारा के लोग थे उनमें कांग्रेसी और क्रांतिकारी दोनों थे। हमारे देश का इतिहास इस बात का साक्षी है कि लोकमान्य तिलक और गोखले से लेकर इंदिरा जी और मोरार जी देसाई तक दक्षिण और दाम का मध्य आन्तरिक कांग्रेस में रहा है। इतिहास को झुठलाने का प्रयास नहीं करना चाहिए।

THE MINISTER OF LABOUR
(SHRI RAGHUNATHA REDDY): I
hope we are discussing about the Iron
Ore and Manganese Ore Mines Lab-
our Welfare Fund Bill.

श्री शारङ्गदे राय : माननीय स्टीफन साहब ने भाषण देते हुए हमारे साथी चन्द्रापन जी पर प्रहार करने हुए इस बात की चर्चा की कि कांग्रेस एक कंसालिडेटेड होल है, इसके अंदर कोई राइट लेफ्ट नहीं है। इस प्रकार की बात करना और जो लोग ऐसा करते हैं
..... (व्यवधान)

अध्यक्ष महोदय : शारङ्गदे राय जी,
अब आप बिल पर आइए। स्टीफन साहब ने

क्या कहा उसका जवाब आपने थोड़ा बहुत दे दिया, अब बिल पर आ जाइए।

श्री शारङ्गदे राय : उसी का जवाब मैं दे रहा था। मैं बता रहा था कि इतिहास को झुठलाने का प्रयास नहीं करना चाहिए। मैंरा केवल इतना ही मतलब था और इतना ही लक्ष्य था। हिन्दुस्तान के पूजावादी अखबार इस तरह का प्रयास करते रहे हैं और कर रहे हैं। इससे हमारे देश के हर राजनीतिक दल को विशेषकर शासक दल को और उसके अन्य नेताओं को सावधान रहना चाहिए।

इम बिल में मजदूरों के महयोग की बात के ऊपर कल भी मैंने चर्चा की थी जो अघूरी रह गई थी कि इस बिल में मजदूरों के सहयोग की गारंटी जितनी होनी चाहिए उतनी नहीं है, विशेषकर उसके प्रबन्ध में उनके भागीदार बनाए जाने की कोई स्पष्ट व्यवस्था जहाँ तक मैं इसको देख सका हूँ इसमें नहीं है। मजदूरों के पार्टिसिपेशन की बीस सूझी प्रोग्राम में भी चर्चा है और देश में उसके पहले भी इस पर काफी आवाज उठती रही है सदन में भी और सदन के बाहर भी। तो मैं माननीय मंत्री जी से यह कहना चाहूंगा कि हर तरह की खदान के मजदूरों के विशेषकर जिस जिस प्रकार की खदान के मजदूरों के लिए इसका विस्तारण किया जा रहा है उन सभी प्रकार की खदानों के मजदूरों के प्रबन्ध में पार्टिसिपेशन की पूरी सुरक्षा इस विधेयक में होनी चाहिए।

एक सेदम्य ने कल इम पर बोलते हुए कहा कि वे भागीदार कैसे बनाए जाय? उन्होंने इस पर अपनी राय दी। वह राय सही हो सकती है। मैं मजदूरों के ऊपर और मजदूरों की जो मान्यताप्राप्त यूनियन हैं उनके ऊपर इस बात को छोड़ता हूँ कि वह किस तरह से भागीदार होना पसंद करेंगे। यह उन्हीं के ऊपर छोड़ देना अच्छा रहेगा।

[श्री झारखंडे राय]

यह प्रश्न जैसा माननीय मंत्री जी ने कहा कुल मिला कर 80 हजार मजदूरों का प्रश्न है और अगर एक मजदूर के परिवार में पांच व्यक्ति माने जाय तो लगभग चार लाख व्यक्तियों के जीवन यापन का यह प्रश्न है। इसलिए इस दिशा में जो सुविधाएं देने के प्रावधान इस विधेयक में हैं वह जितने भी हैं उनका मैं समर्थन करता हूं। इसके साथ साथ जिन बातों की तरफ मैंने ध्यान दिलाया है विशेषकर मजदूरों के प्रवन्ध में भागीदार बनाए जाने की पूरी सुरक्षा और गारंटी की व्यवस्था इस विधेयक में सुस्पष्ट होनी चाहिए। इन्हीं शब्दों के साथ मैं इसका समर्थन करता हूं।

श्री राम सिंह भाई (इंदौर) : अध्यक्ष महोदय, मैं इस बिल का समर्थन करता हूं क्योंकि कुछ खदानें ऐसी हैं जिनके लिए यह कानून बहुत पहले बन गए हैं, जैसे अन्नक का 1946 में, कोल माइन्स का 1947 में, चूना पत्थर का 1972 में, और जो माननीय मंत्री जी ने यह बिल पेश किया है कच्चे लोहे और मैंगनीज का यह निहायत जरूरी है, मैं यह मानता हूं कि अभी भी कुछ ऐसी खदानें छूट गई हैं जिनके लिए भी यह प्रवन्ध किया जाना बहुत जरूरी है। लेकिन वेदना के साथ मैं यह कहना चाहता हूं कि यद्यपि भारत सरकार ने श्रमिकों के हित के लिए इतने अच्छे कानून बनाए हैं कि हम दुनिया के किसी भी देश के कानून को उठा कर देखें उनसे हमारे देश के लेबर लाज बहुत ऊंचे हैं, श्रमिकों को सहायता देते वाले, श्रमिकों की सुरक्षा के लिए और श्रमिकों को ऊंचा उठाने के लिए, लेकिन देखने में यह आया है कि उनकी अमला व्यवस्था इतनी कमजोर है कि जो सरकार चाहती है वह हो नहीं पाता है।

कोल माइन्स और अन्नक के श्रमिकों का वेलफेयर फंड कब से जमा हो रहा है ?

कितना जमा हुआ है ? लेकिन थोड़ी बहुत प्रवृत्तियों—और प्रवृत्तियां भी क्या, वेलफेयर के नाम पर सिवाय एक कैटीन चलाने के और कुछ भी नहीं है। इस फंड के करोड़ों रुपये सरकार के पास जमा हैं। मुझे इस वक्त स्वर्गीय मोहन कुमार मंगलम की याद आती है, जब उनके हाथ में यह पोर्टफोलियो आया तो उन्होंने कोल माइन्स वर्क्स के लिए वेलफेयर की कुछ शुरुआत की और 1972 में जब चूना पत्थर श्रमिकों के संबंध में बिल आया था तो उस पर मैंने कहा था कि आप कुछ भी करें या न करें कम से कम इन श्रमिकों के लिए जो खानों में काम करते हैं पानी पीने की व्यवस्था अवश्य करें।

अभी आयरन और श्रमिकों के वेलफेयर का बिल यह आया है। मेरे प्रदेश में बहुत बड़ी बड़ी खदानें हैं। वेलाडीला में सबसे बड़ा हिन्दुस्तान का खदान है, राजहरा में भी बड़ी खदान है जिसका सारा कच्चा लोहा भिलाई में आता है और वहां उसका उपयोग होता है। मैं वहां पर गया और एक चीज मैंने वहां देखी कि जो उनको पानी पीना पड़ता है वह पानी वह होता है जो बरसात के दिनों में उन लोहे की खानों से बहकर आता है और जमा होता है। उस लोहे के भारी पानी को पीने से उनकी पाचन शक्ति नष्ट होती जा रही है। जिन व्यक्तियों की पाचन शक्ति खत्म हो जायगी उनकी तन्दुरुस्ती कैसी रहेगी यह मोचने की बात है। चारों तरफ से मेरे पास यही शिकायतें आई कि कम से कम उन माइन्स में काम करने वाले श्रमिक जहां रहते हैं और जहां वह काम करते हैं, वहां शानी का तो इन्तजाम किया जाय। अभी तो खदानों के अन्दर काम शुरू नहीं हुआ है, अभी तो ओपन ग्राउण्ड पर ही काम होता है जब अंडर ग्राउण्ड काम होगा तब उनका क्या हाल होगा ? लोहे का जो पानी उनको पीने को मिलता है उसमें जंग के बच्चा पानी पीने

संगता है तभी के उसको धरत उस पर पड़ने संगता है । मैं यह निवेदन करना चाहता हूँ कि उनके जीवन के लिए और कम से कम आपके उत्पादन और एकिवैसी के लिए आपको वहाँ शुद्ध पानी की तो व्यवस्था करनी ही चाहिए । लेकिन खदानों में मैंने देखा है कि शुद्ध पानी की कोई व्यवस्था नहीं है परन्तु शराब पीने की व्यवस्था प्रचलित है । जहा पर खदान का काम शुरू हुआ वहा पर शराब की दूकानें खुल जानी हैं जब कि ऐसे क्षेत्र में शराब की दूकानें न खोलकर पहले शुद्ध पानी की व्यवस्था करनी चाहिए । आपका जो 1952 का खान ऐक्ट है उसमें आपने सभी व्यवस्था की है कि प्रबन्धकों को पहले पानी की व्यवस्था करनी होगी, स्वच्छता की व्यवस्था करनी होगी और बाथरूम नगैरह नहान-धोने की सारी व्यवस्थाएं करनी होंगी । प्रबन्धकों को अपने श्रमिकों के लिए कानून के अन्तर्गत यह सारी व्यवस्थाएँ पहले करनी चाहिए । यहा पर आप जो बैलफेयर का बिल लाये हैं उसमें भी आपने कहा है कि पीने के पानी की व्यवस्था और नहाने धोने इत्यादि की व्यवस्था करेंगे । आपका जो फैक्टरी ऐक्ट है उसमें भी कारखानों के लिए आपने ऐसा ही रखा है कि जो खाना लेकर आते हैं उसको रखने की भी व्यवस्था की जायेगी । जो श्रमिक कपड़े बदलने हैं उनके कपड़ों को रखने के लिए भी अलगगारी नगैरह की व्यवस्था की जायेगी खान में जो श्रमिक निकलते हैं, जो श्रमिक आयरन ओर की खदान खोदते हैं उनकी शकल ऐसी हो जाती है कि उसके बाल बच्चे उसको पहचान नहीं सकते हैं । इसीलिए कानून में रखा गया कि उनके नहाने की व्यवस्था, पीने के पानी की व्यवस्था और अन्य प्राथमिक व्यवस्थाएँ की जायेगी । लेकिन इसके बावजूब देखने में यह आया है कि ऐसी कोई व्यवस्था वहाँ पर नहीं है । मजदूर खान से निकल कर भूत की शकल में अपने घर जाते हैं ।

इस तरह की बड़ी बड़ी बातें आपने कही हैं । आपके यह भी कहा है कि श्रमिकों को लाबे ले जाने के लिए वाहन की भी व्यवस्था की जायेगी । वाहन की व्यवस्था की तो बात ही नहीं, मैं तो रास्तों की व्यवस्था की बात करता हूँ । एक मजदूर यहा रहता है तो दूसरा मजदूर वहा रहता है । अलग-अलग उनकी औपडिया बनी हुई है । वरसात के दिनों में उन मजदूरों को खान के अन्दर पहुचने का रास्ता तक नहीं मिलता है । जो बिल, कोल माइन्स का बिल और अमरगख का बिल आप लाये, आपने कानून बनाया, आज से 20-25 साल पहले के श्रमिकों के लिए मकानों की व्यवस्था की जायेगी । जो खान के अन्दर काम करने वाले श्रमिक हैं पहले उनके लिए मकानों की व्यवस्था की जानी चाहिए । भारत का यह साग माल जो है वह पब्लिक सेक्टर में आता है । आयरन ओर का ही एक ऐसा क्षेत्र है बेलाडीला जहा का माल आप एक्सपोर्ट करते हैं जापान को । मैं बेलाडीला की बात करू, वह मेरे प्रदेश में है त्स्तर जिले में, वहा पर श्रमिकों को काम पर जाने के लिए एक दो रूट्स पर ही बसों की व्यवस्था है और बाकी कहीं भी कोई व्यवस्था नहीं है । बैलगाड़ी से ही आया जाया जा सकता है । वहा से आयरन ओर को जापान भेजने के लिए, जापान की ही सहायता से रेल डाली है लेकिन जो रेल डाली है, वह कच्चा लोहा ढोने के लिए ही है, उस गाडी पर कोई आदमी बैठकर नहीं जा सकता है । अगर उस गाडी में श्रमिकों के लिए ही एक आध बोगी लगा दी जाये तो वहा पर काम करने वाले श्रमिक भी आ जा सकेंगे । लेकिन यह बात भी नहीं है । श्रमिक कल्याण केन्द्र की लगभग 8 करोड से भी अधिक की रकम आपके पास जमा है—आप उस रकम का क्या करेंगे ? वह रकम कहीं जाने वाली नहीं है

[श्री राम सिंह भाई]

फिर आप उसकी शुरुआत क्यों नहीं करते हैं। मंत्री जी से मेरा निवेदन है कि जो आपके पास फंड है, जो आपने बैलफेयर कर के रूप में वसूल किया है उसका उपयोग कम से कम श्रमिकों के रहने की व्यवस्था के लिए ही करें उससे उनके लिए पीने के पानी की व्यवस्था करें महाने-घोने की व्यवस्था के लिए करें शौचालय की व्यवस्था के लिए करें। कल एक भाई ने कहा था कि राशिया में क्या होता है। मैं आपको बनलार्क जो राशिया में होता है वह तो हम नहीं कर सकते। वह मैंने माइन वर्कर्स के सैनिटारियम देखे, इतने सुन्दर थे जिसका कोई हिमाच नहीं। स्वीमिंग पूल बाने हुए थे। यह मैंने सिर्फ राशिया में ही नहीं देखा, यूगोस्लाविया में देखा, स्वीडन में देखा। हम दूसरे देशों की बराबरी तो नहीं कर सकते, किन्तु हमारे यहाँ उनके लिये बाथरूम भी नहीं बनवा सकते, लेकिन कम से कम इतना तो कर सकते हैं कि टट्टी लगवा कर ही बाथरूम बनवा दें। मैं आपसे निवेदन करूँ — 1952 में जो खदान एक्ट बना था, उसमें ऐसी व्यवस्था थी कि महिलाओं के लिये अलग शौचालय बनेंगे, पुरुषों के लिए अलग बनेंगे, लेकिन कुछ नहीं हुआ।

एक चीज जरूर देखने में आई है—खदानों के अफसरों के लिये बड़े अच्छे-अच्छे बंगले बनाये गये हैं, उनके लिये ट्रांसपोर्ट का, कारों का, ट्रालियों का इन्तजाम किया गया है, उनके लिये सब साधन मुहैया किये गये हैं, लेकिन जो श्रमिक वहाँ काम करते हैं, उनके लिये कुछ नहीं है।

ट्रेड यूनियन की यह हालत है, अगर ट्रेड यूनियन का कोई लीडर वहाँ जायेगा तो उसको गेस्ट हाउस में ठहराया जाता है, उसको अच्छा खाना दिया जायेगा, पीने को मिलेगा, घूमने को मिलेगा.....

श्री बी० बी० नायक (कनारा) : यह बमबा बनेगा।

श्री राजसिंह भाई : सही व यह बमबा बनेगा। खदानों में जितनी ट्रेड यूनियन हैं उनको आपस में लड़ने के बलवा कोई दूसरा काम नहीं है। मंत्री जी ने कहा कि वह ट्रेड यूनियन का काम है कि वे बैलफेयर के काम को देखें। लेकिन वहाँ फुरसत किसको है। मैं भी यही महसूस करता हूँ—जो आपनी यूनियन खड़ी करता है, कम से कम उसको अपने सदस्यों का लाभ पहुंचाने के लिये कुछ बैलफेयर की एक्टिविटीज शुरू करनी ही चाहिये। लेकिन देखने में यह आया है कि ये यूनियन कुछ नहीं करती हैं।

माननीय मंत्री जी ने अपने भाषण में बीस सूत्री कार्यक्रम की बहुत जिक्र किया है और कहा है कि बीस सूत्री कार्यक्रम के अन्तर्गत तथा अपने मविधान के अनुसार मजदूरों को लाभ देने के लिये ये प्रयत्न किये जा रहे हैं। मैं निवेदन करना चाहता हूँ कि बीस सूत्री कार्यक्रम के अनुसार तो उन्हें और भी बहुत तरह के लाभ दिये जा सकते हैं, लेकिन ये सुविधायें तो वे सुविधायें हैं जो हमको पहले ही कानून के अनुसार उनको देनी चाहिये थी। इसलिये मैं आपसे अनुरोध करता हूँ कि आप सबसे पहले इन सुविधाओं की ओर ध्यान दीजिये, जैसे पीने का पानी, नहाने की व्यवस्था, कन्ज्यूमर स्टोर, फेयर प्राइस शाप्स, ताकि हम अपने खदान मजदूरों को खदान के पास ही वाजिब भावों पर आवश्यक चीज मुहिया कर सकें। मेरे प्रदेश के ज्यादातर श्रमिक चावल खाने वाले लोग हैं। पिछले साल इतनी कम बारिश हुई कि छत्तीसगढ़ में चावल पैदा नहीं हुआ, वे श्रमिक चावल खाने के लिये तरस गये। वहाँ पर ऐसे लोग पहुंच गये हैं जो तोल में भी मारते हैं, मोल में भी मारते हैं और बोल में भी मारते हैं—तीनों तरह से मारते

रहे हैं। इसलिये आप ऐसा क्यों नहीं करते कि उनकी सहकारी संस्थाएं बना कर इस काम में उनकी मदद करें। यूनियनों के भरोसे न रहिये। बल्कि सहकारी संस्थाएँ बना कर, उन को जब भी पैसे की जरूरत हो, उनकी मदद कीजिये जो उनके वेतन में से काटा जा सके। खान के श्रमिकों को आवश्यक वस्तुएँ उचित दामों पर उनको मिल सके। पहले बड़ा पठान लूटते थे, अब बनिघे लूटते हैं। डागा जी के यहाँ के बहुत से लोग घाटे की पोटली बाध बाध कर वहाँ पहुँच गये हैं घाटे की पोटली लेकर जाते हैं और धन की खैली लेकर लौटते हैं—इनकी रोकथाम होनी चाहिये।

इन शब्दों के साथ मैं इस बिल का हार्दिक समर्थन करता हूँ।

श्री मूल अरु डागा (गान्धी) अध्यक्ष जी मैं एक बात जरूर कहना चाहता हूँ—भारत सरकार के जो श्रम मंत्री हैं श्रमिकों के प्रति उन की जो निष्ठा है उस की मैं तारीफ़ करता हूँ, इस में कोई शर्क नहीं है जब कभी भी वे बोलते हैं अपने मन की बात कहते हैं। लेकिन शायद उन्हें यह बान मालूम नहीं है—कानून किस लिये बनते हैं? कानून इस लिये बनते हैं कि अलमारी में रखे जायें और दम लाख रुपया कुछ सरकारी कर्मचारियों को दे दिया जाय। दुर्भाग्य समझिये या मीमांसा समझिये—मैं भी एक बार लेबर वेलफेयर फंड का एडवाइजरी कमेटी का मੈम्बर था, जब मैं गजस्थान में एम० एन० ए० था। ईमानदारी से कहता हूँ कि सारी एजेंसी मजदूरों के हित में न खर्च हो कर बड़े बड़े जो अधिकारी हैं उन के लाभ के लिये खर्च होनी है। इस ऐक्ट को लीजिये, सेन्ट्रल ऐडवाइजरी बोर्ड, स्टेट ऐडवाइजरी बोर्ड। कितने मेम्बर होंगे इन में? कुछ पता नहीं। पहले ऐडवाइजरी बोर्ड लीजिये। मेम्बर की क्या क्वालिफिकेशन होनी? कुछ पता नहीं। आपने लिखा है कि

इक्वस नम्बर आफ मेम्बर फ्रॉम एम्प्लायर्स और लेबरर्स। आज कल एम्प्लायर स्टेट हैं आज लोग कहते हैं कि भारत में प्रजातन्त्र की जड़े काफी गहरी जम चुकी हैं, हम हर आदमी का महत्व समझते हैं। तो आप उस संबर को उम कमेटी का चेयरमैन क्यों नहीं बनाते? लेबर का क्या रोल है? स्टेट लेबिल पर ऐडवाइजरी कमेटी के जितने मेम्बर आते हैं उन को फर्स्ट क्लास का टी० ए०, डी० ए० मिलता है डाक बगलों में रहते हैं। छोटे छोटे कामों के लिये जैसे पानी की व्यवस्था शिक्षा की व्यवस्था और स्वास्थ्य की सुविधाएँ उपलब्ध कराने के लिये स्टेट लेबिल पर कमेटी है और उम के बाद सेन्ट्रल ऐडवाइजरी कमेटी है। उम के अंदर भी उतने ही मेम्बर। अब आप न उम में एक औरत मेम्बर को रखा है। एक क्यों? दा हो जाये तो क्या एनराज है? स्टेट ऐडवाइजरी बोर्ड अपनी बात को ले कर सेन्ट्रल ऐडवाइजरी बोर्ड में जायेगा और सेन्ट्रल ऐडवाइजरी बोर्ड वह बात हमारे श्रम मंत्री को देगा। सेन्ट्रल गवर्नमेंट बिल टैक ऐडवाइज। चाहे तो माने या न माने। सेन्ट्रल गवर्नमेंट पे रिक्वायर। तो वह सेन्ट्रल गवर्नमेंट के पास आयेगा। इस प्रकार तीन प्रोसीजर बने। चेयरमैन कौन बनेगा? क्या वह फुल टाइम होगा या नहीं, और उम में आफिसर कितने होंगे? अध्यक्ष महोदय, आप जानते हैं कि छोटे से काम के लिये कितना अफसर बनते हैं। यहाँ पर एक वेलफेयर कमिश्नर होगा, एक वेलफेयर ऐडमिनिस्ट्रेटर होगा, एक होगा इस्पेक्टर और फिर और स्टाफ और आफिसर्स। क्या काम करना है क्या परपज है इस के पीछे? आप देखें कि जितनी कमेटियाँ की रिपोर्ट्स आयी हैं उन में क्या होता है? एक अश्वबार मगाते हैं माप्ताहिक हिन्दुस्तान या बम्बों के लिये “बदा मामा”। तो पहले तो वह अफसर के घर में पड़ी जानी है और जब पुरानी हो जाती है, फट जाती है तब मजदूरों के लिये रखी जाती है। जिस दिन हम लोग जाते हैं

[श्री मूलचन्द डागा]

या मजदूरों के नुमाइन्दे माननीय राम सिंह भाई जैसे लोग जाते हैं उस दिन रीडिंग रूम में सफाई कर के उन पुगनी पत्रिकाओं को रख दिया जाता है और वहा हमारे मजदूर लोग अखबार पढ़ते हैं। इस प्रकार की वहा हालत रहती है। मेरी समझ में नहीं आया कि आप लाखों ६० खर्च करने की इस तरह की स्कीम क्यों बनाने हैं। इस के पीछे परपज क्या है ?

अब आप कहते हैं कि इस से मजदूरों को ही लाभ नहीं मिलेगा, बल्कि आसपास के एरियाज में जो लोग रहते हैं उन को भी लाभ मिलेगा। आप मेहरबानी कर के लाखों रुपये की दौलत के उपयोग के लिये ठीक से व्यवस्था कीजिये जिस से मजदूरों को सचमुच लाभ मिले। जैसा माननीय राम सिंह भाई ने कहा पहले तो आप वहा कज्यूमर स्टोर्स खोलिये ताकि खाने पीने की चीजें अच्छी और सस्ते दाम पर उपलब्ध हों। जैसा फैंक्ट्री ऐक्ट में नियम है कि मिल मालिक का कर्त्तव्य है कि पानी की व्यवस्था करे, अच्छी टिट्टियों की व्यवस्था करे, रीडिंग रूम की व्यवस्था करें। यह फेमिलिटीज जो नेबर लाज में दी जा सकती थी, उन को वहा से छीन कर आप ने अपने हाथ में ले ली है, और इस में भी है। यह आप ने क्यों ली ? आप लेबरर्स को इकट्ठा कर लीजिये और सारा पैसा उन को दे दीजिये। 10 लाख ६० में तो तीन शानदार कोलोनीज खड़ी हो जायेगी। और यह बिना मतलब पैसा खर्च होगा। एडमिनिस्ट्रेटर वहा पर कुछ काम करते नहीं हैं। जिस दिन हम जाएंगे, एक अच्छा बड़ा भर कर रखेंगे यह दिखाने के लिए कि हम मजदूरों के लिए कितना अच्छा काम करते हैं। जब मंत्री जी जाते हैं या हम जाते हैं तो अधिकारी लोग गारलैंड से स्वागत करते हैं और यह दिखाने की कोशिश करते हैं कि हम अच्छा काम मजदूरों के लिए करते हैं और हम भी रिपोर्ट में लिख देते हैं कि मजदूरों

के लिए बड़े लाभ का काम हो रहा है।

एजुकेशन फैंसिलिटीज की जो बात है, वे किस को मिलेगी। कालेज वहा से दूर होते हैं और इस से मजदूरों को फायदा नहीं होगा। इसलिये मेरा कहना यह है कि मेहरबानी कर के आप इतना पैसा मजदूरों के जो बेटे बढ़ते हों उन को दीजिए। इतना साग पैसा जो हिन्दुस्तान की सरकार मजदूरों के लिए देती है, उस का सही इस्तेमाल नहीं होता है और मेरा कहना यह है कि उस पैसे के साथ जो खिलवाड़ किया जाता है, वह न किया जाए। इस बारे में मेरा सुझाव यह है कि आप मजदूरों के लिए अच्छे कज्यूमर स्टोर्स खोलिये और उन को लोन दीजिए ताकि वे मनी-लैंडर्स के चंगुल से बचे। कम इन्ट्रेस्ट पर आप उन को रुपया दीजिए ताकि जो रुपया आप उन के लिए रखते हैं उस का उपयोग हो।

इस के अलावा मेरा सुझाव यह है कि आप इस में बहुत कम प्रशासन के लोग रखें, तभी उन लोगों को फायदा होगा। आप कहते हैं कि इस कानून के बनने से और सेस क्लेक्ट करने से आसपास के सभी लोगों को फायदा मिलेगा। मैं समझता हूँ कि हम से मजदूरों का कोई बहुत ज्यादा फायदा नहीं होगा बल्कि जो अधिकारी लोग हैं उन को फायदा होगा और इस के अलावा जो मजदूरों के लीटर बन जाते हैं और अधिकारियों के चमचे बन जाते हैं, उन को लाभ होगा। (व्यवधान) .. अन्त में मैं यही कहना चाहता हूँ कि ठीक से काम करने के लिए जो आप मजदूरों की सस्था बनाएं उस में एकाध अधिकारी से ज्यादा न रखें जिस से मजदूरों के हित की बात हो सके। यह मैंने खुद देखा है कि अधिकारी लोग ज्यादा लाभ उठा ले जाते हैं और इस

एक्ट के बन जाने से मजदूरों को कोई ज्यादा लाभ नहीं होगा ।

श्री जोकिस्सम बोबो (सीकर) : अध्यक्ष महोदय, मैं इस बिल का स्वागत करता हूँ लेकिन साथ ही यह भी कहना चाहता हूँ कि आप अब तक डोलोमाइट, इमस्टोन माइका, कोल आदि के बारे में बहुत सारे बिल मजदूरों के बारे में लाए हैं और पिछली दफा भी मैं ने पूछा था कि क्या मजदूरों के लिए आप के पास कोई स्कॉम है, आप के पास कोई प्लान है ।

हमारे लेबर मिनिस्टर साहब एक बहुत चतुर और काम करने वाले व्यक्ति हैं लेकिन मैं यह समझ नहीं पाया कि ये अलग अलग बिल क्यों ला रहे हैं । आज जो रुपया इकट्ठा हो रहा है, उन के अंदर 30 या 35 परसेंट के लगभग पैसा एडमिनिस्ट्रेशन पर खर्च होता है और 10, 15 या 20 परसेंट पैसा ही लेबर पर खर्च होता है । बाकी पैसा आप के खजाने के अंदर रहता है और इस वक्त वह 10 करोड़ रुपया है । इस से क्या फायदा है ।

मैं ने पिछली दफा एक निवेदन किया था कि हिन्दुस्तान में माइका के अंदर 20 लाख लेबर काम करता है । आप उन 20 लाख मजदूरों की प्लानिंग कीजिए कि उन में से कितने आदमियों को घर चाहिए । ज्यादातर माइका की हालत यह है कि मजदूर जो उन में काम करते हैं वे वहां नहीं रहते हैं बल्कि गांवों में रहते हैं । वे मकान माइका पर बनाना नहीं चाहते । इसलिए जहां तक मकान का सवाल है, यह एक बहुत छोटी सी समस्या है और इस के आकड़े आप को लेने चाहिए कि 20 लाख मजदूरों में से कितने मजदूरों का वहां पर मकान चाहिए । मेने ख्याल में एक लाख मजदूरों को आपको मकान देने होंगे । मैं यह भी चाहता हूँ कि उन को मैडिकल प्रीसेलिटीज देने के लिए और स्कालरशिप देने के लिए आप एक बजट बनाइए कि कितना

पैसा उस के लिए चाहिए । बजट बना कर आप यह देखिये कि कितने रुपये की जरूरत है और फिर यह देखिये कि मिनरल्स का आपका कितना उत्पादन है और उस के हिसाब से सैस लगाइए । अगर आप पांच साल की पंचवर्षीय योजना या दस-बर्षीय योजना बनाते तो हिन्दुस्तान के मजदूरों को जितनी फीमेलिटीज व चाहते हैं, वे सब मिल जाती ।

एक बात और निवेदन करनी है । सैस कलेक्ट करने के लिए इतनी मशीनरी की जरूरत क्या है ? आप का आइरन-ओर, मेगनीज ओर एक्सपोर्ट होना है । उस के अंदर आप को डाइरेक्ट पैसा मिलने वाला है । वहां पर आप के कोई एडमिनिस्ट्रेटिव चार्जेज नहीं हैं और बहुत ज्यादा खर्च होने वाला नहीं है । इसलिए मैं आप से यह निवेदन करना चाहता हूँ कि मंत्री महोदय जो ये छोटे-छोटे अलग-अलग बिल ला रहे हैं, इन सब को छोड़ कर सारे मिनरल्स के लिए एक निबर बैन्केपर बिल लाए तो अच्छा होगा ।

एक स्कीम आप पेश करिये और यह बताइये कि आप हिन्दुस्तान के इन बीस लाख मजदूरों को क्या फीमिलिटीज देना चाहते हैं । हाऊन के अन्दर यह बताइये कि उसमें आपका तखमीना क्या है बजट क्या है । मैं आपसे उम्मीद करूंगा कि इनके लिए आप जल्दी से जल्दी दूनरा बिल लाये मिनरल्स, खनिजों को शामिल करके लाएंगे ।

इसके अलावा मैं एक और निवेदन करूंगा । लोन्स के लिए आपने दस करोड़ रुपया रखा है । यह बहुत अच्छी बात है । आप इन मजदूरों को मन्ती ब्याज पर रुपया दीजिए, 7 5 परसेंट को रियायती ब्याज दर पर पैसा दीजिए । इन आयरन मेगनीज के मजदूरों के लिए जो पैसा रखा है उसको इकट्ठा रखने का फायदा क्या है ? आप उनके कर्रण फंड में ऐसा पैसा

[श्री श्रीकिशन मोदी]

श्री रखिये जिससे शैलीय धारण धोर के मजदूरों के कुछ इंटेलिजेंट बच्चों को सामने लाया जा सके और उनमें से एक दो बच्चों को विलायत तक पढ़ने के लिये भेजा जा सके। लेबर वेल्फेयर खजाने से आप उनकी ट्रेनिंग के लिए सहायता दें और एक एम्पल सैट करें।

इतना कह कर मैं समाप्त करता हूँ।

SHRI B. V. NAIK (Kangra): Sir, I welcome this Bill. In order to avoid embarrassment at the clause-by-clause consideration stage when I might have to move an amendment, I would like to come to the point straightway so that in his reply to the general discussion itself, the Minister may be kind enough to indicate his mind whether the existing provisions are adequate to meet the requirement stipulated in my amendment to the Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Bill and my amendment is redundant. On the other hand, if he feels that these amendments on the basis of grass root study are necessary, he may accept them. If not, he can convince me. My amendment is to the definitions clause which says:

"(h) a person is said to be employed in an iron ore mine or manganese ore mine—

(1) if he is employed within the premises or in the vicinity of such mine by the owner, agent or manager of such mine or by a contractor or any other agency exclusively in any one or more of the following, namely,"....etc.

In view of the fact that the export of iron ore or manganese ore has developed phenomenally in the course of the last 10 or 15 years particularly along the western coast, I have suggested an addition to this proviso, which reads thus:

"If he is engaged in port operations in the export of iron ore or manganese ore from any of the major medium and minor ports in the territory of the Indian Union."

I have seen it with my own eyes. There are about three or four medium ports working on the west coast, in the area where I come from. Next to that is the Goa port which exports about half a million tonnes of iron-ore. The conditions of the people who work on the docks, who work with the stevedors, who are engaged in loading on the barges, are exactly the same as those of the workers who are working in the mines. I see no reason why these people should not be considered equivalent to the people who work in offices, canteens and creche in the precincts of such mines. If a bearer in a hotel can get the benefit of this scheme, I see no reason why somebody who puts in hard labour by working in the docks and is as much involved in the mineral operations as anybody else, should not be benefited. More so, these are the people who are more susceptible to tuberculosis. I would, therefore, suggest that these people should also be included in that category. There are a large number of them on the ports. I hope, the Minister will give a sympathetic consideration to that.

It would be too much to expect that the people who are involved in the transportation of iron-ore and manganese ore should be benefited. Some of the ports get about 300 trucks daily. I think, that amount of flexibility in general terms, should be there.

The heart of the administration lies in promising less and performing more. According to the Bill, they are going to be provided with sanitary facilities, reading rooms, educational facilities, recreational facilities, health facilities, residence, public health provision, water supply facilities, transport, the list is unending. The fact is that

the Minister has got Rs. 3½ crores at his disposal. He expects Rs. 1.07 crores out of this present Bill. I would suggest if you really want to give them the benefit, free them from the clutches of money-lenders. Give them loans without interest, liquidate their loans. Your administrative charges will be very low. Only half a per cent will be sufficient. Or take Rs. 5 lakhs and subsidise them. I think, these are again the problems which we have been inheriting from the western democracies. It is probably thought that simply because in the UK, USA or West Germany it is done, we should do it. I have no inhibitions about it. I would say that we cannot afford that level of social welfare, even though the Minister has repeatedly told us about the welfare State. Some how, the word 'socialism' is not used. I would say that this single point of liquidating their debt will go a long way. Thereafter our Mr. Ram Singh Bhai will launch his temperance movement; and the rest of the things will come in. The industrial scene in India, more particularly the mineral and the mining scene in India is compounded of three factors. One factor is the irresponsible capitalist approach. We know, in regard to the biggest tax-payer in India to-day, as to what he was 30 years back, say in the year 1939 or 1940. Now within about 30 years, he has emerged as the biggest tax-payer; but he has earned all this money through the sweat on the brows of iron ore and manganese ore workers. Therefore, we have an irresponsible capitalist structure and a supine trade union movement and in between these two, the State—with good intentions, because the road to hell is paved with good intentions—which plays Cinderella but is not very effective. I hope the progressive and well informed Minister will be able to do something realistic and help the labour and trade union movement—but not on the foundation of dreams.

SHRI CHAPALENDU BHATTA-

CHARYYA (Giridih): Mr. Speaker, Sir, I welcome this bill whole-heartedly. In fact, it was overdue. The concept of welfare for the mining population had started with coal. The coal mines welfare organisation, its activities, its amplitude of operations, its successes and its failures are the guidelines. These organizations have also to avoid its pitfalls in the coming years. In the context of our perspective plan, the production of iron ore and of manganese ore are going to increase tremendously. So also the mining population. And it is only right and proper that the iron ore and manganese ore workers have been lumped together, because their fortunes and their production fluctuate, more or less. They are correlated. The iron ore mines, as also the manganese mines are in various States of our country, viz., Bihar, Orissa, Andhra Pradesh, Madhya Pradesh, Karnataka and Maharashtra. The Bhandara district of Maharashtra and the Srikakulam district of Andhra Pradesh, for example, are districts inhabited mostly by Adivasis and Harijans. Some of them are sensitive areas. The point which I would like to press again and again on the Minister of Labour through you, Sir, is that we should not lose any time in expanding the welfare activities in these regions at once. What has raised certain doubts in our minds is that in Section 13(2) of the bill it is said:

- (a) The amount collected as cess, under the Act repealed by sub-section (1), shall be credited to the Consolidated Fund of India.
- (b) The Central Government may, after due appropriation made by Parliament by law in this behalf, credit to the Fund...."

[Shri Chapalendu Bhattacharyya]

Now about the volume and quantum of welfare activities. The major difficulty faced by the coal mines welfare fund and the mica welfare fund is that these funds, being part of the Consolidated Fund of India, have been used more often as a budgetary support rather than for ameliorating the conditions of the workers and for providing them with the widest amplitude of welfare activities at the earliest.

Then, the pattern of welfare activities is known—central hospital the regional hospitals, the community project hospitals where education and some treatment goes on, the schools, the scholarships and stipends. More than that, what is necessary is that the women workers and the wives of the mine workers must be activated through a large organisation of *sevikas* so that during their spare time they have a newer dimension in their existence.

The question of acute shortage of water has been well made. The Coal-mines Welfare Organisation goes in for 70' deep and 10' diameter wells. Why not go in for 20' diameter and 40' deep wells where water table is right. That will have a multi-purpose effect in the villages from which the labourers or miners come. It will help them with drinking water supply and also irrigation for agriculture which will give general support to the economy of the region.

It is absolutely urgent and necessary that these workers have some recreation in agriculture in order to help them, to shield them, from the incidence of occupational diseases. I find that one industry has been left out, and that is the copper mines. The largest number of silicosis patients you will find in copper mines, in our State of Bihar, particularly in Singhbhum, where the TB hospitals had to be expanded continuously. In these

industries, in order to save these workers from the incidence of microbial diseases, water-borne diseases and the occupational diseases, these welfare organisations have to make a different approach altogether. Domiciliary treatment is not enough; the preventive aspect is the crux of the matter. For that what is required is that mobile X-ray clinics should visit these areas and the workers should have their X-rays done automatically, regularly every second or third month, so that the preventive aspect gets greater prominence, greater importance and greater weightage than it has received so far.

The difficulty has been that we start with great expectations, but these organisations, which should have been a movement, slowly start becoming a department and start stagnating. I hope that under the energetic leadership and drive of Shri Raghunatha Reddy, they will get out of the slough of despondency and stagnation, and go and work meaningfully among the workers to bring a new quality in their life.

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): I am extremely grateful to all the hon. Members who have participated in the debate on this Bill and also made very valuable suggestions with regard to the way in which the fund will have to be administered and welfare activities will have to be taken up

13.00 hrs

[MR. DEPUTY-SPEAKER in the Chair]

I do not share the disheartening note that has been struck by my good friend Shri Daga or Shri Ramjibhai Varma or Shri R. N. Sharma. In the process of administering the various welfare measures and the activities that would arise out of the administration of this fund, most of the suggestions that have been made by my hon. friends would be taken into ac-

count and as far as possible, we will try our best to implement them

As far as the cess that has been collected with regard to the iron mines is concerned, hon. Members are fully aware that a number of hospitals have been constructed and various medical and welfare facilities have been provided. I need not go into the details. With regard to dolomite also, though Shri R. N. Sharma struck a very disheartening note, fortunately the facts are otherwise because a number of hospitals, also mobile hospitals, and welfare measures have been undertaken. I do not think I should repeat all that here for the sake of argument.

It has been stated that there must be a common welfare fund for all the minerals. Though the National Commission on Labour had no doubt made this point, it may not be possible immediately to constitute such a fund, but at least iron and manganese go together, and that is the reason why, in pursuance of the recommendations of the National Commission on Labour and in line with the suggestions of the hon. Member, we have made a beginning. I do hope that in course of time, if the situation permits, if the economics of combining all the welfare funds is feasible, this aspect of the question will be considered. I can give this assurance to the hon. Members.

My good friend, Shri B. V. Naik, though I do not want to go into theoretical aspects, made a very indirect accusation against me that I had not used the word "socialism" and only used the words "Welfare State". He knows that there cannot be any socialistic economic structure or a Socialist State without having the elements of Welfare State or all the characteristics of a Welfare State. A Socialist State certainly includes all

the characteristics of a Welfare State. Therefore, in that context I used the expression "Welfare State", not in contradiction with a Socialist State. Therefore, the concept of a Socialist State is comprehensive enough to include a Welfare State. So, I do not think he need have any doubt. Though "Welfare State" within the context of a capitalist economic structure cannot be synonymous with a Socialist State, a socialist State *per se* must have all the elements of a Welfare State. In that context I used that expression, and this legislation is in pursuance of the achievement of such a Welfare State within the context of a Socialist State.

SHRI DINEN BHATTACHARYYA
(Serampore) You must hold a class for him.

SHRI RAGHUNATHA REDDY
Though I do not want to be impertinent, if my friend wants, I am prepared to conduct a refresher course for Shri Dinen Bhattacharyya.

With regard to Shri Naik's amendment, I may point out that this legislation is confined to those who are engaged in extracting work that this is with regard to mining operations and not with regard to port operations.

In regard to port operations, naturally there are several other laws that govern the conditions of working conditions of health and other welfare activities. Therefore, I do not want to mix up these two things. Therefore with great respect I may say that the intention seems to be very laudable. But I must say with great respect that these port workers are governed by various other welfare measures which are applicable to the Port and Dock workers. I hope you would kindly pardon me if I am not in a position to accept this amendment, and with great regret I have to differ from him.

[Shri Raghunatha Reddy.]

This is a very good Bill which has been commended approved and welcomed by all the sections of the House, though various suggestions have been made. With regard to the Advisory Committee again there will be a very disheartening note. The Advisory Committee consists of members of the management, members of the trade union, and I do not know why some of the Members felt that why we should include lady members. I thought, I hope and I feel that there should be not only one lady member but a number of lady members in this committee. They understand matters much better than their counter-parts. Therefore, as far as the Advisory Committees are concerned, it is always felt that there should not be, what is called, a bureaucratic approach to the administration of welfare fund. That is why, popular participation by way of Advisory Committees has been brought in, and only representatives from the workers' side would be the leaders of the trade unions. If they doubt the working of the Advisory Committees, I am afraid, they are not paying tributes to themselves.

With these words, I move that the Bill be taken into consideration and approved by the House.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to provide for the levy and collection of a cess on iron ore and manganese ore for the financing of activities to promote the welfare of persons employed in the iron ore mines and manganese ore mines and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to provide for the financing of activities to promote the welfare of persons employed in the iron ore mines and manganese ore mines, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER: We shall now take up clause-by-clause consideration of the Iron Ore Mines and Manganese Ore Mines Labour Welfare Cess Bill.

The question is:

"That Clauses 2 to 14 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill
Clause 1, the Enacting Formula and
the Title were added to the Bill.

SHRI RAGHUNATHA REDDY: I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

MR. DEPUTY-SPEAKER: We shall now take up the clauses of the Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Bill.

Mr. B. V. Naik is not here. Mr. Ram Singh Bhai, are you moving the amendment?

SHRI RAM SINGH BHAI: No, Sir.

MR. DEPUTY-SPEAKER: The question is:

"That clauses 2 to 12 stand part of the Bill."

The motion was adopted.

Clause 2 to 12 were added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI RAGHUNATHA REDDY: I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

12.08 hrs.

**MOTION RE. SUSPENSION OF PRO-
 VISO TO RULE 66 IN RELATION TO
 BEEDI WORKERS WELFARE CESS
 BILL AND BEEDI WORKERS WEL-
 FARE FUND BILL.**

MR. DEPUTY-SPEAKER: Motion to suspend proviso to Rule 66.

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): I beg to move:

"That this House do suspend the proviso to Rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for taking into consideration and passing of the Beedi Workers Welfare Cess Bill, 1976 and the Beedi Workers Welfare Fund Bill, 1976."

MR. DEPUTY-SPEAKER: Can you explain why do you want the proviso to this rule to be suspended?

SHRI RAGHUNATHA REDDY: Both these Bills would constitute a common subject. Therefore, when the hon. Members speak, one cannot make a speech separating these two Bills. That is why it would be useful if both the Bills are taken up together.

MR. DEPUTY-SPEAKER: That is no good excuse at all. I will help you.

When one Bill is dependent on another, unless the first Bill is passed and assented to by the President, the second Bill cannot be taken up. Now, you want both the Bills to be taken up together. That is why you want the suspension of the rule. I half suspected that you did not know the reason. That is why I wanted you to explain why you want this rule to be suspended.

The question is:

"That this House do suspend the proviso to rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motions for taking into consideration and passing of the Beedi Workers Welfare Cess Bill, 1976 and the Beedi Workers Welfare Fund Bill, 1976".

The motion was adopted.

13.10 hrs.

**BEEDI WORKERS WELFARE CESS
 BILL
 AND
 BEEDI WORKERS WELFARE FUND
 BILL**

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): Sir, I beg to move:*

"That the Bill to provide for the levy and collection, by way of cess, a duty of excise on tobacco issued for the manufacture of beedi, be taken into consideration."; and

"That the Bill to provide for the financing of measures to promote the welfare of persons engaged in beedi establishments, be taken into consideration."

The conditions of work prevailing in the beedi industry had been criticised by the Royal Commission on Labour

*Moved with the recommendation of the President.

(Shri Raghunatha Reddy.)

(1931) and the Labour Investigation Committee (1944). The Royal Commission on Labour had, *inter alia*, observed:

"The making of the beedi (the indigenous cigarette) is an industry widely spread over the country. It is partly carried on in the home, but mainly in workshops in the bigger cities and towns. Every type of building is used (but small workshops preponderate and it is here that the graver problems mainly arise. Many of these places are small airless boxes, often without any windows, where the workers are crowded so thickly on the ground that there is barely room to squeeze between them. Others are dark semi-basements with damp mud floors unsuitable for manufacturing processes, particularly in an industry where workers sit or squat on the floor throughout the working day. Sanitary conveniences and adequate arrangements for removal of refuse are generally absent."

The Labour Investigation Committee (Rege Committee, 1944) also has observed more or less on similar lines.

The studies made by the Committee on Labour Welfare and the observations of the National Commission on Labour, five years ago, indicate that there have been no significant changes in the conditions of work, and the living conditions of the workers engaged in this industry. The labour enactments like the Factories Act, 1948, failed to improve the lot of the majority of workers; the Minimum Wages Act was not being effectively enforced and the employer was progressively finding ways and means to evade or bypass the provisions of the Act. Realising the inadequacy of the existing Acts, Government had brought into being the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 which, *inter alia*, does prescribe some measures to improve the working conditions of the workers employed in beedi factories, such as, cleanliness, ventilation, first-aid, canteens, etc. The

Act also prescribes working hours and weekly holidays.

When the Act was enforced, it was not welcomed by the employers who filed writ petitions on one ground or the other challenging the validity of the Act. The constitutional validity of the Act has been upheld recently but the Act has a limited coverage, in as much as it seeks to give protection to the beedi and cigar workers in industrial premises only. In so far as the field of labour welfare is concerned, the Act does not provide for medical, educational, recreational facilities, etc., which in the case of other sweated industries like coal, iron ore, mica, dolomite and limestone, are being financed through the welfare funds especially constituted for workers in these industries. The rationale for the constitution of a similar fund for workers (and their families) engaged in beedi making industry, needs no further emphasis.

In order to provide welfare measures for the persons employed in the Beedi Establishments, it is proposed to establish a Welfare Fund. For this purpose, it is proposed to levy, as a cess, a duty of excise on so much of the tobacco as is issued to any person from a warehouse for any purpose in connection with the manufacture of beedi. The rate of duty of excise will be at such rate not exceeding one rupee per kilogram on such tobacco as the Central Government, may, from time to time, fix. The duty of excise to be levied shall be in addition to any cess or duty leviable on tobacco under any other law for the time being in force.

The duty of excise levied on the tobacco under the provisions of the Beedi Workers Welfare Cess Bill, 1976 after deducting the cost of collection will be credited to the proposed Beedi Workers Welfare Fund.

The Fund is intended to supplement and not to supplant the efforts of the employers or the State Governments to ameliorate the living conditions of the workers engaged in the beedi establishments and their dependents. The Beedi industry is mainly concen-

trated in the States of Andhra Pradesh, Bihar, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal. It provides for employment to a very large number of unorganised labour, most of whom belong to Scheduled Castes and Scheduled Tribes and other backward Communities. It has been found that their living and working conditions are not at all satisfactory. According to the latest available figures there are about ten lakh workers engaged in the beedi industry and among these only 26,000 workers were engaged in factories registered under the Factories Act, 1948.

The intention in creating a Welfare Fund for the beedi workers is to provide them and their dependents, benefits similar to those now provided to the workers of coal, mica, iron ore and limestone and dolomite mines and their dependents. According to the cost estimates which have been worked out, the provisions of such facilities would necessitate the imposition for the present of a cess of 25p. per kilogram of tobacco used in the manufacture of beedies. The duty levied at this rate is expected to yield about Rs. 1.82 crores per annum. The proceeds thus collected will be credited to the Consolidated Fund of India and thereafter transferred to a Fund to be called the Beedi Workers Welfare Fund. The average welfare expenditure per head would come to Rs. 20/- per annum. Though this figure is very meagre, it may be possible to help the provision of basic amenities; more so when they are organised on a community basis.

The fund will be administered in consultation with tripartite Advisory Committees which, to begin with, will be set up in each of the principal beedi manufacturing States. Besides the employers and workers, it is our intention to associate State Governments also in the functioning of the Committees. If necessary, there may

be an Advisory Committee for two more of the beedi manufacturing States. The Central Government may also set up a tripartite Central Advisory Committee to coordinate the activities of the State Advisory Committees and to ensure their effective functioning. I am confident that co-operation will be coming from the State Governments concerned by way of free technical advice and help in the construction of the buildings for the proposed organisation, as in the case of similar sister organisations in coal, mica, iron ore and limestone and dolomite mines. This will help to reduce our administrative expenditure.

As the Fund will be centrally administered it will be possible as in the case of the coal, mica, iron ore and limestone and dolomite mines to set up certain centralised facilities like medical aid, hospitals, dispensaries, water supply schemes, housing colonies etc., and prescribed uniform standards for other welfare measures like the Multipurpose Institutes to provide for the workers engaged in the manufacture of beedi and their dependents suitable recreational and cultural facilities.

I do not think there is anything else in the two Bills which require specified comments. As the House will see, the matter is urgent and I am keen that the two Bills are put on the Statute Book as early as possible. I will be extremely grateful to the Hon. Members if they take into consideration the various provisions of the Bill and approve the Bills.

MR. DEPUTY-SPEAKER: Motions moved;

"That the Bill to provide for the levy and collection, by way of cess, a duty of excise on tobacco issued for the manufacture of beedi, be taken into consideration."

"That the Bill to provide for the financing of measures to promote the welfare of persons engaged in beedi

[Mr. Deputy-Speaker]

establishments, be taken into consideration."

SHRI A. K. GOPALAN (Palghat): This is a Bill for the welfare of the beedi workers. So, I certainly welcome the Bill. I am moving some amendments also; perhaps, you have forgotten, Mr. Deputy-Speaker; there are some amendments....

MR. DEPUTY-SPEAKER: These amendments will come only when the Clauses are taken up for consideration. There is no amendment for the 'consideration' motion.

SHRI A. K. GOPALAN: As far as the welfare fund for the beedi workers is concerned, nobody will object to it; everybody will welcome it. But I have to ask the hon. Minister as to what happened to the Beedi and Cigar Workers (Conditions of Employment) Act, 1966. This was enacted by the Parliament in 1966, but it has not so far been implemented. There are more welfare measures for the beedi workers in that Act than under this legislation. I will give you the details. A non-official Bill was brought by me in Parliament in 1965, and when that was being discussed, the then Labour Minister told me that Government would bring a comprehensive Bill. It was brought in 1966; though it did not contain all the measures that I had proposed in my non-official Bill, it was a Bill giving at least some relief as far as the beedi workers were concerned. Ten years have passed, but that Act has not yet been implemented in any of the States. People will have no belief in legislations then. Now, they have come with a Bill saying that they are constituting a welfare fund for beedi workers. First, you implement the legislation passed in 1966 where minimum wages were fixed, where maternity and other benefits were there, as far as the beedi workers were concerned—for both men and women. Many women are also engaged in the

beedi industry. I want to know from the Minister—perhaps, he was not here in 1966—as to what has happened to this Act. Will he enquire whether any State has implemented that Act? People will laugh at this Bill which he has brought now, because they will say that the 1966 Act is already there but has not been implemented, now the 1976 Bill has come, so many other Bills also will come, but nothing will be implemented. They will have no belief in the Assembly or Parliament....

MR. DEPUTY-SPEAKER: Are these Bills—the one you referred to and this Bill—identical?

SHRI A. K. GOPALAN: The 1966 Bill was more comprehensive dealing with the beedi workers, their conditions of employment and so on. I asked for that in the Reference Library but I could not get a copy of that. There, the minimum wages were fixed up; the other conditions were also there. Now, what I want to point out is this. You have now come with a Bill for the welfare of beedi workers. The Bill that was brought in 1966 was called Beedi and Cigar Workers (Conditions of Employment) Bill. At that time 'beedi and cigar' were there, but now 'cigar' has been forgotten. In that 1966 Bill, the minimum wages were fixed and some other benefits were also given to the workers. This Bill also is a welfare measure; they are creating a welfare fund and they have said that such and such a thing will be done for the welfare of the beedi workers. If it is for the welfare of the beedi workers, then implement first the 1966 legislation, ask the State Governments to implement that. That at least was 'beedi and cigar'. Now 'cigar' is omitted. My point is this: beedi and cigar go together. Those who smoke will say that Beedi and Cigars are like brothers and sisters, but here cigar has been forgotten. I want only to remind the Minister that if the cess to be levied is really intended for the welfare of the workers, is there any clause

in this Bill whereby a penalty will be imposed on those who do not give the cess. While talking about the minimum wages, the Minister said yesterday that there must be organization and there must be struggle, but where there is organization and struggle, I want to remind him what happens and he knows that. Whenever they fight for minimum wages, not the minimum wages are given, but they will be put inside the jail. It is not that there is no organisation or there is no struggle.

I move my amendment that cigar must be added.

MR. DEPUTY-SPEAKER: You have your amendment when we take up clause by clause consideration.

SHRI A. K. GOPALAN: My next question is, what is the guarantee that this Bill will be implemented and what will the Central Government do if it is not implemented by the States. Secondly, what about the old Bill, where more amenities were given to the Beedi workers. Please tell us, in how many States it has been implemented. It has not been implemented in any of the States. In Kerala, there is a Government sponsored cooperative society, where minimum wage is given, but not the other amenities. The Bill was passed ten years ago for giving certain amenities and improving the conditions of the Beedi workers but that has not been implemented. Now comes another Welfare Cess Bill for the Beedi workers and we are asked to support it. We will certainly support it. Not only did we support the earlier Bill, we brought a non-official Bill bringing it to the notice of the Government that ten lakhs of Beedi workers, as the Minister himself knows, were poorly paid and that they should be given some relief. Though the Bill was passed, yet it was not implemented. Even the minimum wages fixed then must be revised now. The

minimum wages fixed then do not correspond to the living standard today. Even that minimum wages and other conditions concerning the Beedi workers, lady workers and others have not been implemented. I have pointed that out many times in the Parliament.

While supporting this Bill, what I have to say is, that there is no use passing a legislation which will not be implemented. There will be no respect for the Assembly or the Parliament in case a legislation is passed and then thrown in the waste paper basket without making any attempt to see that it is implemented. The State Governments must be told that the owners of the Beedi factories must be punished if they fail to comply with the requirements of the Bill. What happens is that if the workers ask for minimum wages, they are beaten and put to the jail, but as far as the owner is concerned, he is not proceeded against. He does not obey the law. He can go on merrily with it and you can do nothing about it. But, if the worker fights for the implementation of this Act, then it is not implemented. There are so many instances I want to show. Only the other day, two months back, in Kerala, when the Bidi workers took out a peaceful demonstration to press that this must be implemented about their wages, they were lathi-charged.

So, the question is: while welcoming this Bill, I want to remind the Minister that this law also should not be thrown into the waste-paper basket and he must first see that the other Act which gives more benefits to the workers is implemented and action is taken to implement it and also see that as far as this Bill is concerned, everybody pays the cess without fail. A register should be opened. It is there in my amendment and I will talk about it when it is taken up. That must be done and it must be seen that at least this cess and the welfare fund go to

[Shri A. K. Gopalan]

the benefit of the worker. That is what I have to say. Saying this, I welcome this Bill.

श्री राम सिंह भाई (इंदौर) : उपाध्यक्ष महोदय, मैं इस बिल का हृदय से समर्थन करना चाहता हूँ और कुछ सुझाव भी देना चाहता हूँ।

पहली बात तो यह है कि इस बिल पर अमल के बारे में यह कहा गया है कि इसे भिन्न-भिन्न क्षेत्रों में भिन्न-भिन्न तिथियों को लागू किया जायेगा यह गलत है। सारे प्रांतों में इसको एक साथ लागू करना चाहिये, नहीं तो इसका परिणाम बहुत खराब होगा। जहाँ भी आप उप-कर लगायेंगे, वहाँ से कारखाने वाले, भागकर दूसरे प्रदेश में चले जायेंगे, जहाँ पर कि वह बिना लागू नहीं होगा, और वहाँ पर वह अपना बीड़ी का काम-धन्दा शुरू कर देंगे। क्योंकि ये कारखाने जेरी होते हैं।

मेरे प्रदेश में बीड़ी वर्कर कम-गै-रुम 4 लाख से कम नहीं हैं। आपने सारे देश में जो 10 लाख के आंकड़े बताये हैं, यह तो लाख गिनतों के आधार पर हैं, लेकिन यह बहुत कम हैं। यह काम घर पर बहुत ज्यादा होता है। महिलाएँ पत्ता, तम्बाकू और डोरा घर-घर से जाती हैं और वह घरों पर काम करती हैं। उनके पति भी दिन में चाहे कहीं काम करने हों लेकिन अपने काम से छूटने के बाद वे भी घरों पर यह काम करते हैं। मैं समझता हूँ कि 20 लाख श्रमिकों में कम यह काम नहीं करते हैं। जहाँ जिसको देखो वह स्त्रीम दंडन बना हुआ है, मुंह में बीड़ी लगाये धुंधा उड़ाते हुए। आपके ये आंकड़े सही नहीं हैं क्योंकि आधे से ज्यादा वह काम घरों पर होता है।

मैं यह निवेदन करना चाहता हूँ कि जहाँ पर भी आपने उप-कर लगाया वे लोग वहाँ से काम बन्द कर के अपनी पोछली लेकर, जो दया जी जैसे लोग हैं कुछ साथ में नहीं रखते हैं,

सीधे दूसरे प्रदेश में चले जाते हैं। जैसे मदायी बुबलुपी बजाकर अपना काम शुरू कर देता है, उसी तरह से वे लोग भी अपना कारोबार शुरू कर देते हैं।

मारे बुराना से बीड़ी बनाने वाले कारखानेदार, कोई छोटा भाई कोई बड़ा भाई कोई मोटा भाई, कोई ओछा भाई, कोई कचरा भाई, सब मेरे प्रदेश में आकर बैठे हुए हैं, क्योंकि वहाँ कोई कानून नहीं था। मैं निवेदन करना चाहता हूँ कि इसमें आपका कुछ विगड़ने वाला नहीं है, बल्कि अधिपत मिलने वाला ही है, आप एक साथ मारे भारत में से लागू कीजिये।

दूसरी बात यह है कि आपने 1966 में बीड़ी निगार वर्कर्स एक्ट बनाया, लेकिन उन एक्ट का अभी तक सभी प्रदेशों ने पालन नहीं किया है। मुझे अच्छा तरह से यह ज्ञान है कि माननीय मंत्री जी ने इस सम्बन्ध में बहुत मेहनत की है, उनके नये प्रदेशों के अथ मंत्रियों की बैठक भी बुलाई है, उनसे बार-बार कहा भी है, उनके प्रांतों की मैं तारीफ-करता हूँ। लेकिन जिस तरह प्रदेश के कलेक्टर लोग मंत्रियों की बात नहीं मानते हैं, शायद उसी तरह प्रदेश के मंत्री केन्द्र की बात नहीं मानते होंगे? क्या कारण है कि मंत्री महोदय के देने प्रयत्न और आप्रह के बावजूद, श्रमिकों के प्रति उन की इतनी महानुभूति होने के बावजूद उप पर अमल नहीं हो रहा है। "उल्टा चोर कोतवान को डांटे" वाली बात हो रही है।

बीड़ी सिगार वर्कर्स एक्ट, 1966 जो बना था उसमें भी फीक्टरी एक्ट की बातों को रखा गया है। बीड़ी निगार वर्कर्स के काम को भी फीक्टरी के समान माना गया है। उस में कारखाने की व्याख्या की गई है और यह बनाया गया है कि वहाँ हवा, स्वच्छता पीने के पानी, शौचालय, और कैंटीन आदि सब इन्तजाम होना चाहिए।

वे कारखाने गुजरात से हमारे प्रदेशों में आये और उन को शहरों के नजदीक आवासीय नया। अब एक लाख दुआ, तो वे कारखाने शहरों के पास में आवासीय कर देना तो मे भले गये ताकि वहा पर यह कानून लागू न हो सके। मालिक लोग वर्कर्स को सम्बाकू पैसे और डोरा देते हैं। उन्हें ऐसी व्यवस्था करने की कहा आवश्यकता। उस एकट से वर भी कहा गया, है कि रिजर्व बीडी कितनी माली जायेगी यह वान दोनो पक्ष बैठ कर शासन की सहायता से तय करो। माध्यस्थता दोनों पक्षा में यह तय हुआ है कि वर्कर्स जो बीडी बना कर लायेगे, उस में से रिजर्व बीडी 5 परसेंट से ज्यादा नहीं माली सकती है। लेकिन मंत्री महादय के पास वाच-वाच यह शिकायत आई है कि 20 परसेंट से कम बीडी रिजर्व नहीं की जाती है। बीडी बनाने का काम पीम-पेट पर होता है अर्थात् एक हजार बीडी का इनका पैसा कम देन है। उस में से 20 परसेंट रिजर्व करने का अर्थ यह है कि उन लोगों का 20 परसेंट बनाना ऐसे ही कम हो गया। तो फिर आपका पेमेंट आफ वेजेन वानन कहा गया ?

हा प्रचार श्री टागा के माथी वान नोल और माल में मारते है। माननीय सदस्य यहां ता बड़ी बड़ी बाने करते है लेकिन वह अपने साथिया का क्या नहीं समझाते है ? वह यहां मेरे माथी है। अगर मैं कोई खगब काम करना हू, तो वह मुझे समझा कर बना कर मरते हैं और अगर वह कोई खगब काम करने है तो मैं उन्हें कहता हू कि वह ऐसा न करे। कम से कम वह अपने साथिया को समझाये तो सही कि उन्हें ऐसा शोषण नहीं करना चाहिए।

पहले उपर एक किलो पर 25 पैसे लगता था, लेकिन अब उस को एक रुपया प्रति किलो आप करने जा रहे है। इस तरह 1,82

लाख रुपये साल में एकत्रित किये जायेगे। ये तो सरकार के आवडे है। लेकिन सरकार बीडी का काम करने वालों की सख्या दस लाख कहती है और हम मानते है कि उन की सख्या बीस लाख है, क्योंकि आधा काम घरों में होता है। इस हिसाब में यह राशि 4 करोड रुपये की होगी। इन बिल में यह वान क्यों डाली गई है कि बेलफेयर के लिए इकट्ठी की गई राशि में से पानी का इन्तजाम होगा, स्वच्छता का इन्तजाम होगा। कहने का मतलब यह है कि आममान से गिरे और खजूर पर उलझ गए। वह तो पहले ही कुछ नहीं पडा। तो यह गलत है। कानून के अनुसार जो बीडी मालिकों से लगना हो, वह उन से कराइए और शहर के अन्दर, देवातो के अन्दर जा ये कारखाने है ये ऐसे नही है जो जंगल या पहाडों में हो जैसा खाने होती हैं। इलिये जो गांव के बच्चों के लिए गांव के रहने वालों से लिए जो दवा दारू का इन्तजाम हागा वह उन के लिए भी होगा। गांव के बच्चों के लिए जो पढाई का इन्तजाम हागा वह इससे लिए भी होगा क्या कि वे गांवों में ही रहते है या शहरों में ही रहते है। इनके ऊपर ई० एम० आई० लागू क्यों नहीं करते है। जब इस बीडी उद्योग को आप फंडी जैसा मानत है कारखाने जैसा मानते है तो इन के ऊपर जो आप की ई० एम० आई० की याचना है वह लागू होनी चाहिए। जहा दस वर्कर काम करते है वहा आप इस का लागू करते हैं प्रेन के ऊपर लागू करते हैं छाई के ऊपर लागू करते है तो ई० एम० आई० के अन्दर उन को भी बवर करना चाहिए और ई० एम० आई० के अन्दर उन का बवर करेगे तो उन को और भी बेनिफिट मिलेगा।

बेलफेयर की रकम आर इकट्ठी करिए। इस को और ज्यादा बडाइए। एक रुपये के बजाए दो रुपये प्रति किलो कीजिए। बीडी पीने वालों को थोडी तकलीफ होगी क्योंकि बनिए तो उन से वसूल कर ही लेगे। वे बडे

[श्री राम सिंह भाई]

चतुर होते हैं। लेकिन आपकी जो यह राशि इकट्ठी होती है इस में जो बीड़ी वर्कर्स हूँ उन के रहने के लिए मकान बनाइए। सब से बड़ी परेशानी देहात और शहरों के अन्दर रहने की है। तो वह उन के रहने के मकान हों और इस प्रकार के हों कि बीड़ी का काम जो करता है और इस योजना के अन्तर्गत आता है वह उस मकान में रहे, आप उसके ऊपर कुछ किराया रख दीजिए, लेकिन जब वह रिटायर हो तो वह मकान उस की मालिकी का हो जाना चाहिए। यह अगर आप करते हैं तो आप की सारे देश में तारीफ़ होती। लेकिन आप ने तो यह ठहराया कि वह वेलफेयर की रकम आयगी हम को या न करे, अगर मेट जी करने होंगे तो उन कारखाने वालों को दे देंगे। यह गलत बात है।

मेरा यह कहना है कि सरकार का इरादा बहुत अच्छा है, कल्याणकारी इरादा है, इस में कोई शक नहीं है। लेकिन इस हाथ से उस हाथ के वाली बात नहीं होनी चाहिए। आप की योजना होनी चाहिए। आप उसके लिए स्टाफ़ रखिए। हमें कोई एतराज नहीं है। डागा जी ने गलत बान कही कि स्टाफ़ वाला खा जाते हैं। अगर स्टाफ़ वाले खा जाते हैं तो आप मसद में चुन कर किम लिए आते हैं? आप का क्या कोई फर्ज नहीं है। हमारे यहाँ अगर कोई ऐसा करे तो हम तो उस का गला दबा देंगे..... (व्यवधान)..... पालिया-मेट हमारे बारे में तय करेगी कि हम ने अच्छा किया या बुरा किया। तो बनियाँ के प्रति इतनी सहानुभूति आप को क्यों है? स्टाफ़ रखा जायगा तो इतने लोगों को एम्प्लायमेंट मिलेगा। हमारे इतने पढ़े लिखे लोग हैं, उन को काम मिलेगा। हमारा काम केवल उत्पादन का ही नहीं है, एम्प्लायमेंट भी है। हमारा काम केवल उत्पादन बढ़ाना ही नहीं है। उत्पादन बढ़ाओ, रोजगार बढ़ाओ और लिबिंग स्टैंडर्ड बढ़ाओ। मेरा निवेदन है कि

जो बिल लाया गया है यह बहुत अच्छा है। मंत्री महोदय बहुत परिश्रम कर रहे हैं। लेकिन उन को दण्डीमार लोग ठग रहे हैं, उन से वे सावधान रहें और इस का पूरा पालन करें।

श्री इस्हाक सम्मली (अमरोहा) : उपाध्यक्ष महोदय, बीड़ी वालों को राहत देने के लिए जो बिल पेश किया गया है उस के लिए लेबर मिनिस्टर साहब को मैं मुबारकबाद देता हूँ। लेकिन मैं यह कहने के लिए मजबूर हूँ जैसा कि मुझसे पहले बोलने वालों ने कहा कि दस साल पहले जो बिल आया था उस में यह वादा किया था कि एक काम्प्रीहेंसिव बिल लाया जायगा, वह अभी तक नहीं आया, इस बीच में जब जब रघुनाथ रेड्डी साहब लेबर मिनिस्टर रहे तो आर्गेनाइजेशन के नुमाइन्दों को लेकर हम उनसे मिलते रहे और हम को यही जवाब दिया गया कि बीड़ी वर्कर्स के बारे में एक काम्प्रीहेंसिव बिल लाने का इरादा है। जिस में कि उनकी परेशानियाँ दूर हों। बार बार लेबर मिनिस्टर के साथ हमने बात की। लेकिन दुख की बात है कि दस साल गुजर जाने के बाद भी वह काम्प्रीहेंसिव बिल नहीं आया। वह हाल जितना भी आया है और जो चीज भी आई है वह अच्छी है। अगर जो तरीके उसमें अखिनयार किए गए हैं मैं नहीं समझ सकता कि उससे यह बिल कैसे कामयाब किया जा सकता है। सन् 1966 का जो बीड़ी ऐंड सिगार वर्कर्स ऐक्ट है उसमें एक बहुत बड़ी खामी यहाँ से यह रख दी गई है कि उसका इम्प्लीमेंटेशन स्टेट्स के हाथ में रहेगा। स्टेट्स के हाथ में इम्प्लीमेंटेशन क्यों दे दिया गया? अगर हिन्दुस्तान की ज्यादातर स्टेट्स में बीड़ी बनती है तो क्यों न सेंटर से ही उसका इम्प्लीमेंटेशन किया जाए। जिस तरह से

प्राबिन्ट फंड का एक सेन्ट्रल ऐक्ट बना है उसी तरह से बीड़ी ऐक्ट में भी स्टेट्स पर उसका इम्प्लीमेंटेशन न छोड़ करके यहीं सेन्टर से क्यों नहीं किया गया ? ऐसा न होने से नतीजा यह हुआ है कि ज्यादातर स्टेट्स ने उसका इम्प्लीमेंटेशन नहीं किया है। यू० पी० में उसका इम्प्लीमेंटेशन किया गया लेकिन कितनी बार बीड़ी वर्कर्स के जेल जाने के बाद वह हो पाया। मेरी कास्टीटुएन्सी, अमरोहा में बीड़ी वर्कर्स का एक बड़ा सेन्टर है, वहां के वर्कर्स ने कितनी बार जद्दो जहद की जल गए और उनके बाद वही इम्प्लीमेंटेशन किया गया। उसमें भी हुआ यह कि स्टेट मिनिस्ट्री ने डिस्ट्रिक्ट मैजिस्ट्रेट के अभिनयार में दे दिया है। जैसी कि कहावत है आममान से गिरे, खजूर में अटके। अब डिस्ट्रिक्ट मैजिस्ट्रेट की मर्जी पर है, वह चाहे तो अपने जिले के सेन्टर में लागू करे और न चाहे तो न लागू करे।

आप तो जानते ही हैं कि बीड़ी लाबी कोई मजबूत नहीं है। क्यों नहीं मध्य प्रदेश में इसका इम्प्लीमेंटेशन हुआ ? नाम लेने से क्या फायदा है, आप जानते ही हैं भाई परमानन्द पटेल, जो वहां पर चीफ मिनिस्ट्री के उम्मीदवार थे वह वहां के सबसे बड़े बीड़ी फैक्ट्री ओनर थे ? इतनी मजबूत लाबी का इन्सान होते हुए क्या वह वहां पर उसका इम्प्लीमेंटेशन होने देगा ? नतीजा यह हुआ कि यू० पी० में इम्प्लीमेंटेशन हुआ लेकिन मध्य प्रदेश में आज तक नहीं हुआ।

इसके साथ साथ देश में बेलफेयर फंड बहुत जरूरी है लेकिन बेलफेयर फंड

नम्बर दो की चीज है, पहली चीज है उनके काम की सर्टेंटी और उनका एम्प्लायमेंट। भाई राममिह ने सिर्फ इशारा किया लेकिन मैं खुलकर कहना चाहता हूं बीड़ी वर्कर्स की बेजेल स्टेट वाई स्टेट कुछ भी मुकर्रर की जाए। होता क्या है कि यू० पी० में बीड़ी ऐंड सिगार ऐक्ट लागू किया गया, मजदूरी मुकर्रर की गई लेकिन मध्य प्रदेश में लागू नहीं हुआ। वहां पर आज गरीबी ज्यादा है। और जैसा कि आपने कहा बीड़ी इंडस्ट्री एक शिफ्टिंग इंडस्ट्री है, कितने ही यू० पी० के बीड़ी मालिको ने अपना काम मध्य प्रदेश में शिफ्ट कर दिया। मध्य प्रदेश में कुछ लागू जेल गए, कुछ लोगो ने आन्दोलन किया। जद्दो जहद की तो एक तीमरी और भी गरीब स्टेट साथ में मिली हुई उड़ीसा है वहां पर मध्य प्रदेश न काम शिफ्ट हो गया। नतीजा यह हुआ कि वह ऐक्ट जिसके जरिए वर्कर्स को राहत मिलनी चाहिए थी उसके बजाए वह वर्कर्स के अनएम्प्लायमेंट का एक सबब बन गया। मैं चाहूंगा मिनिस्टर माहब इस चीज के बारे में गार करे। अगर काम ही नहीं रहेगा, एम्प्लायमेंट ही नहीं रहेगा तो फिर आप किस चीज का बेलफेयर करेंगे ? अगर यह इंडस्ट्री ही दूसरी जगह शिफ्ट हो जाएगी तो आप किस चीज का बेलफेयर करेंगे। पेज 2 पर आप देखें बीड़ी वर्कर्स बेलफेयर फंड—इसमें बेलफेयर में क्या चीजें शामिल की गई है—आप को ताज्जुब होगा—

"The provision and improvement of water supplies and facilities for washing".

मैं इस वक्त यू० पी० के बारे में जिम्मेदारी से कह सकता हूं— जहां जहां

[श्री इसहाक सम्भली]

शान्सेक खुलती है, जहाँ पांच घाबसी बठ कर इस काम को करते हैं, वहाँ कारखानेदार इतनी मदद करता है कि पीने का पानी दब केले हैं। लेकिन अब क्या होगा, वह अपनी जेब से पीने का पानी भी क्यों प्रोवाइड करेगा यह काम भी वेलफेयर फण्ड से होगा।

श्री मूल बंध डाला (पाली) :
अब वे कूलर प्रोवाइड करेंगे।

श्री इसहाक सम्भली : डाला साहब, बनिये जो कूलर प्रोवाइड करते हैं हम जानते हैं। इसमें कहा गया है कि एजुकेशनल फैसिलिटीज प्रोवाइड की जाएगी। मैं इस बात को मान लेता, अगर इसमें नाइट स्कूल या एडल्ट एजुकेशन के लिए कहा गया होता। एजुकेशनल फैसिलिटीज प्रोवाइड करना म्युनिसिपल कमिटीज या डिस्ट्रिक्ट बोर्ड्स का काम है, क्या इस फण्ड से डिस्ट्रिक्ट बोर्ड या म्युनिसिपल्टी की मदद की जाएगी, कौन सी एजुकेशनल फैसिलिटी आप प्रोवाइड करेंगे, इसको साफ कर देना चाहिए था, इसको नान-सेन्स क्यों बना रखा है।

डिप्टी स्पीकर साहब, मैं एक खास बात की तरफ मिनिस्टर साहब की तबज्जह दिलाना चाहता हूँ। यू० पी० और बिहार के बारे में तो मैं जिम्मेदारी के साथ कह सकता हूँ, दूसरी स्टेट्स के बारे में मेरी इतनी स्टडी नहीं है—हमारे बीड़ी वर्कर्स 50 फीसदी से ज्यादा, बल्कि 75 फीसदी टी० बी० से ऊपर कर रहे हैं। क्योंकि उनको मिहियात ही प्यारी जगह पर बैठाया जाता है, तम्बाकू का यहाँ हर वक्त उन के जिस्म में पहुँचता रहता है—चाहे भमरोहा हो,

कन्नौज हो, इलाहाबाद हो या कोई और जगह हो। ज्यादातर यह काम लेडीज वा लडकियाँ करती हैं। जैसा भाई रामसिंह ने कहा बीड़ी बनाने के काम में बारीक भंगुलियों की जरूरत पड़ती है, जितनी बारीक भंगुलियाँ होंगी, उतनी बडियाँ बीड़ी बनेगी, इस लिए यह काम ज्यादातर औरतों के हाथ में हैं, और वे ही टी० बी० के मर्ज में ज्यादा मुबतला हैं, जिसका असर उनके बच्चों पर पड़ता है, भाई बहनों पर पड़ता है, जो भी उस घर में रहते हैं सब पर पड़ता है। हम पहले भी आपसे रिक्वेस्ट करते रहे हैं, टी० बी० के लिए इस बिल में जरूर प्रावीजन करना चाहिए था, आप कहते कि जहाँ बीड़ी सेटर्स हैं, वहाँ पर जो अस्पताल हैं उन में हम टी० बी० वाडें खोलेंगे। लेकिन आप ने तो इसको जैनरल छोड़ दिया है। जैनरल होने की वजह से ऐसा भी हो सकता है कि कुछ चीजें इस फण्ड से लाकर वहाँ रख देंगे कुछ खाने पीने की सप्लाइज रेट्स पर चीज मुहिया कर देंगे और कह देंगे कि ये हेल्थ बनाने वाली चीज है। लेकिन इससे मकसद पूरा नहीं होगा।

इसलिए मेरी आप से दरबास्त है हम वेलफेयर के काम में जो ऐसी चीजें बी गई हैं, जो स्टेट सरकार की जिम्मेदारी है, लोकल बाडीज की जिम्मेदारी है या जो ट्रेडीशनल कारखानेदार अब तक करते आए हैं, मेह्रबाग्नी करके उनको इनमें से निकालिए, वरना इसका फायदा मजदूरों को नहीं होगा, इसका तो उसे पहले ही मिला रहा था, इसमें आप क्या करेंगे।

सबसे पहली चीज उसमें एम्पलायमेंट की सर्टेंटी होनी चाहिए, उसको पक्की

[شری اسحاق سمیل]

گیا۔ اگر ہندوستان کی زیادہ تر سٹیٹس میں بڑی بلتی ہے تو کیوں نہ سٹیٹس سے ہی اسکا امپلی مینٹیشن کیا جائے۔ جس طرح سے پراویڈینٹ فنڈ کا ایک سنٹرل ایکٹ بنا ہے اسی طرح سے بڑی ایکٹ میں بھی سٹیٹس پر اسکا امپلی مینٹیشن نہ چھوڑ کر کے یہیں سٹیٹس سے کیوں نہیں کیا گیا۔ ایسا نہ ہونے سے نتیجہ یہ ہوا ہے کہ زیادہ تر سٹیٹس نے اسکا امپلی مینٹیشن نہیں کیا ہے۔ یو۔پی۔ میں اسکا امپلی مینٹیشن کیا گیا لیکن کتنی ہی بار بڑی ورکرز کے جیل جانے کے بعد وہ ہو پایا۔ میوری کانسٹی ٹوئسی، امرتھ میں بڑی ورکرز کا ایک بڑا سٹیٹس تھا وہاں کے ورکرز نے کتنی بار جدوجہد کی، جیل گئے اور اسکے بعد کہیں امپلی مینٹیشن کیا گیا۔ اسمیں بھی ہوا یہ کہ اسٹیٹ منسٹری نے ڈسٹرکٹ مجسٹریٹ کے اختیارات میں دے دیا ہے۔ جیسی کہ کہارت ہے آسان سے کرے، کھجور میں اٹکے۔ اب ڈسٹرکٹ مجسٹریٹ کی مرضی پر ہے، وہ چاہے تو اپنے ضلع کے سٹیٹس میں لگو کرے اور نہ چاہے تو نہ لگو کرے۔ آپ تو جانتے ہی ہیں کہ بڑی لابی کوئی کم مضبوط نہیں ہے۔ کیوں نہیں مدد

پر دیں میں اسکا امپلی مینٹیشن ہوا؟ نام لہنے سے کیا فائدہ ہے، آپ جانتے ہی ہیں بھائی پرماتند پٹیل؟ جو وہاں پر چیف منسٹری کے امپرووڈ تھے وہ وہاں کے سب سے بڑے بڑی فیکٹری اوپر تھے۔ اتلی مضبوط لابی کا انسان ہوتے ہوئے کیا وہ وہاں پر اس کا امپلی مینٹیشن ہونے دیتا؟ نتیجہ یہ ہوا کہ یو۔پی میں امپلی مینٹیشن ہوا لیکن مدد پر دیں میں آج تک نہیں ہوا۔

اسکے ساتھ ساتھ دیں میں ویلفیئر فنڈ بہت ضروری ہے۔ لیکن ویلفیئر فنڈ نمبر دو کی چھڑ ہے، لمبی چھڑ ہے انکے کام کی سرینٹلی اور انکا ایمپلائمنٹ۔ بھائی رام سنگھ نے صرف اشارہ کیا لیکن میں لکھکر کہنا چاہتا ہوں، بڑی ورکرز کی ویجسز سٹیٹ بانی سٹیٹ کچھ بھی مقرر کی جائے، ہوتا کیا ہے کہ یو۔پی میں بڑی ایڈڈ سکار ایکٹ لگو کیا گیا، مزدوری مقرر کی گئی لیکن مدد پر دیں میں لگو نہیں ہوا۔ وہاں پر آج غریبی زیادہ ہے۔ اور جیسا کہ آپ نے کہا بڑی انڈسٹری ایک شدت لگ انڈسٹری ہے، کٹلے ہی یو۔پی کے بڑی مالکوں نے اپنا کام مدد پر دیں میں شدت کر دیا۔ مدد پر دیں میں کچھ لوگ جیل گئے کچھ

لوگوں نے اندولی کہا: جدوجہد کی تو ایک تدریسی اور بھی فریب سنگت ساتھ میں ملی ہوئی آڑ ہے وہاں پر مددگار پر دیکھیں کام شغف ہو گیا۔ نہوجہ یہ ہوا کہ وہ ایک جیسے ذریعہ روزگار کو راحت ملتی چاہئے تھی ان کے بجائے وہ روزگار کے ان ایملیٹس کا ایک سبب بن گیا۔ مزدن چاہوں کا منسٹر صاحب اس چیز کے بارے میں فور کریں۔ اگر کام ہی نہیں دے گا، ایملیٹس ہی نہیں دھونگا تو پھر آپ کس چیز کا ویلنڈ کریں گے۔ اگر یہ اندسٹری ہی دوسری جبکہ شغف ہو جائیگی تو آپ کس چیز کا ویلنڈ کریں گے۔

پیج ۲ پر آپ دیکھیں۔ ہوتی روزگار ویلنڈ فائدہ اس میں ویلنڈ میں کیا چیزیں شامل کی گئی ہیں۔ آپ کو تعجب ہو گا۔

‘The provision and improvement of water supplies and facilities for washing’.

میں اس وقت یو۔ پی۔ کے بارے میں ذمہ داری سے کہہ سکتا ہوں کہ جہاں جہاں برانچز کھلتی ہیں، جہاں پانی آدمی ہوتا ہو اس کام کو کرتے ہیں، وہاں کارخانہ دار اپنی مدد کرتا ہے کہ پانی پانی رکھ دیتا ہے۔ لیکن آپ کہا

ہوگا۔ وہ اپنی جھب سے پینے کا پانی بھی کہیں پرووائڈ کرے گا۔ یہ کام بھی ویلنڈ فائدہ سے ہوگا۔

آئی سٹیل ورکس (پالی): اب وہ کونر پرووائڈ کریں گے۔

شری اسحق سمبلی : ڈاکٹر

صاحب، ہائے جو کولر پرووائڈ کرتے ہیں، ہم جانتے ہیں۔ اس میں کہا گیا ہے کہ ایجوکیشنل فیسالٹیز پرووائڈ کی جائیں گی۔ میں اس بات کو مان لیتا، اگر اس میں نائٹ اسکول یا اڈلٹ ایجوکیشن کے لئے کہا گیا ہوتا۔ ایجوکیشن فیسالٹیز پرووائڈ کرنا میونسپل کمیٹی یا گورنمنٹ بورڈز کا کام ہے۔ اس فائدہ سے گورنمنٹ بورڈ یا میونسپلٹی کی مدد کی جائیگی، کون سی ایجوکیشنل فیسالٹیز آپ پرووائڈ کریں گے، اسکو صاف کر دینا چاہئے تھا۔ اسکو نان سہلس کہیں بنا رکھا ہے؟

ڈپٹی سیکر صاحب، میں ایک خاص بات کی طرف منسٹر صاحب کی توجہ دلانا چاہتا ہوں۔ یو۔ پی اور بہار کے بارے میں تو میں ذمہ داری کے ساتھ کہہ سکتا ہوں۔ دوسری سٹوڈنٹس کے بارے میں میری اتنی سنجیدگی نہیں ہے۔ ہمارے ہوتے روزگار 50 فیصدی سے زیادہ ہلکے

[شری استانی سبھلی]

75 فیصدی - تی بی - سے سفر کر رہے ہیں - کہونکہ انکو نہایت ہی گلدی جگہ پر بیٹھایا جاتا ہے، تمناکو کا گردہ ہر وقت انکے جسم میں پہنچتا رہتا ہے - چاہے اسرودھ ہو یا قلعج ہو، الہ باد ہو یا کوئی اور جگہ ہو - زیادہ تر یہ کام لہڈیز یا لوکھیاں کرتی ہیں جنہاں بھائی رام سنگھ نے کہا - بھڑی ہلانے کے کام میں باریک انگلیوں کی ضرورت پڑتی ہے، جتنی باریک انگلیاں ہونگی، اتنی بوجھا بھڑی بلے کی اس لکے یہ کام زیادہ تر عورتوں کے ہاتھ میں ہے، اور وہی تی بی کے مرض میں زیادہ مبتلا ہیں، جسکا اثر انکے بچوں پر پڑتا ہے، بھائی بھلوں پر پڑتا ہے، جو بھی اس گھر میں رہتے ہیں سب پر پڑتا ہے - ہم پہلے بھی آپ سے رکوہست کرتے رہے ہیں، تی بی - کے لئے اس بل میں ضرور پراویزون کرنا چاہئے تھا، آپ کہتے کہ جہاں بھڑی سٹیشنز ہوں، وہاں پر جو ہسپتال ہوں ان میں ہم تی بی کی بوجہ کھولینگے - لیکن آپ نے تو اسکو جلول چھوڑ دیا ہے - جلول ہونے کی وجہ سے ایسا بھی ہو سکتا ہے کہ کچھ چھوڑیں اس نفع سے ذکر وہاں رکھ لیں کیے کچھ کھالے پہلے کی چھوڑیں سبڈائنڈر ہسپتال پر سبڈ

کر دیں گے اور کہہ دیں گے کہ یہ ہاتھ ہلانے والی چھوڑیں ہیں - لیکن اس سے مقصد پورا نہیں ہوگا۔

اسلئے میری آپ سے درخواست ہے - اس ویلنڈر کے کام میں جو ایسی چھوڑیں دی گئی ہیں - جو اسلٹ سیکر کی ذمہ داری ہے، ہوگل ہائیڈر کی ذمہ داری ہے یا جو ٹریڈ ہنڈل کارخانہ دار اب تک کرتے آئے ہیں، مہربانی کر کے انکو اس میں سے نکالئے، ورنہ اسکا فائدہ مزدوروں کو نہیں ہوگا، لہذا تو اسے پہلے ہی مل رہا تھا، اس میں آپ کیا کریں گے۔

سب سے پہلی چھوڑ اسکو ایڈملائٹ کی سرینگی ہونی چاہئے، اسکو یہی ایڈملائٹ دیجئے، ویلنڈر تو نمبر دو پر آتا ہے - میں ویلنڈر کو پوری طرح سے سپورٹ کرنا ہوں میرے کہنے کا یہ مطلب نہیں ہے کہ ویلنڈر ضروری نہیں ہے، وہ نہایت ضروری ہے، لیکن جو ہمارا پھولا تھریڈ ہے - آپ اس پر فور کھینچئے - یہ شفلنگ انڈسٹری ہے - پھولی ڈھبہ آپ کا قانون سب صوبوں نے اپنے یہاں لکڑ نہیں کیا جسکی وجہ سے یہ انڈسٹری ایک صوبہ سے دوسرے صوبہ میں منتقل ہوتی چلی گئی -

مدرے یہاں ایک سفتر مہرے
چھسا دام سنگھ بھائی نے کہا مہرے
کا استعمال تو بڑھا لیکن مہرے
یہاں اسکا بلنا کچھ کم ہوا اور دوسری
جگہ شکت ہوئے لگی - وہی
پہنچتی تو خوشی ہوتی - لیکن ایک
مزدور کا کلا لٹ کر کے اور دوسرے
کی فریبی سے فائدہ اٹھا کر کے
فیکٹری اونر نے وہاں اسکو پہنچایا۔
تو اسی طرح اندیشہ ہے کہ یہ
وہلہر فلڈ اگر ایک سٹیمٹ میں
ہوا اور دوسری میں نہیں ہوا تو
نتیجہ یہ ہوگا کہ اس سٹیمٹ کی
بڑی مہنگی ہوگی اور دوسری جگہ
وہ اندستگی شکت ہو گی جس سے
ان ایمپلائمنٹ پھولکا - اسٹے مہربانی
کر کے ان چیزوں پر توجہ دیں -

ان آبزرویشنز کے ساتھ میں اس
بل کو سپورٹ کرتا ہوں -]

شری جیو جیو ڈاگا (پالی) : ڈپٹی
سپیکر صاحب، آپ سارے کانٹون کو پڈ کر
جاتے ہیں، یہ سب مالوم ہے۔ میں فیر
کھانا چاہتا ہوں کہ یہ تو ایک
کانٹون لکھا ہوا پڈا یا اسی کی
یہ ایک نکل ہے۔ 10 لاکھ روپيا سالانہ
ایکسپنڈیچر ہوتا ہے۔ کس لیے ہوتا ہے۔
ایک ایڈوائس کمیٹی ہوئی ہے۔ اس کے
ممبر کون ہوں گی اس کی سمجھ میں
کئی آتا ہے۔ اور ممبر کے لیے کیا
کلائمینیٹیشن ہوگی؛ اگر کوئی کھانے
کے لیے کام کرے گا، کیا اس کی
10، 20، 30، اور 40 لاکھ روپيا

جائیں گے اور کون کس کا چیئرمین ہوگا؟
یہ سٹے ایڈوائسری کمیٹی کیا کام کرے گی،
اور جو فیصلے لے گی وہ کس پر نافذ ہوگا؟

سٹے ایڈوائسری کمیٹی جو آپ نے
بنائی ہے، کلاز (5) میں دیا ہوا ہے :

"Every advisory committee shall
consist of such number of persons as
may be prescribed... . Provided
that each advisory committee shall
include equal number of
persons representing the government,
employers and the persons engaged
in beedi works ..."

اس کا مطلب یہ ہے کہ آپ کے ہاے
ممبر ہوں گے سرکار کے، اور ہاے ممبروں
میں سے کچھ ممبر تو چاہے مزدوروں کے ہوں
اور چاہے کچھ ایسٹابلیشمنٹ کے ہوں۔ اس کی
بابت آپ نے لکھا ہے کہ ایک چیئرمین
ہوگا۔ کون چیئرمین ہوگا کمیٹی کا؟
سرکار مقرر کرے گی۔ اس میں کیا ہوگا
کہ سٹے ایڈوائسری کمیٹی کے ساتھ
ایک سنٹرل ایڈوائسری کمیٹی ہوگی
اور سنٹرل ایڈوائسری کمیٹی اپنی
سیکریٹری سنٹرل گورنمنٹ کو دے گی۔ تو
سٹے ایڈوائسری کمیٹی کے فکشنل، سنٹرل
ایڈوائسری کمیٹی کے فکشنل اور ان
فکشنل کو کئی پاور کرنے کے لیے کچھ
اधिकاری ہوں گے، جیسے ویلفیئر ایڈمنی-
سٹریٹر، ویلفیئر کمیشنر، انسپکٹرس اور
ان کے अधिकاری۔ کیا باتیں سوچیں گے،
کون کون سی باتوں پر فیصلے لے گے۔ میں
سمجھتا ہوں کہ جو سمجھدار 1000
100 अधिकاری ہوگا وہ اس کمیٹی کا
ممبر نہیں بننا چاہیگا۔ یہ چوٹی
چوٹی کمیٹیاں ہوں گی اور جیسے نگر پالیکا
اور میونسپل بورڈ میں بیٹا پڈ لکھ
لوگ کام کر لیتے ہیں وہاں کوئی ڈیپٹی کل
آدھی کی ضرورت نہیں ہوتی، ایسے

[श्री मूल चन्द डागा]

ही यहा भी हो सकता था । लेकिन यहाँ आपने बैलफेयर कमिश्नर, बैलफेयर ऐडमिनिस्ट्रेटर और इस्पेक्टर रखे हैं। और इस कमेटी में कौन जाते हैं और वह कमेटी किम बात का निर्णय लेगी ? सफाई आदि के बारे में निर्णय लेगी। जैसा अभी माननीय इसहाक सम्मलो ने कहा था कि जहाँ तक बीड़ी वर्कर्स का तालुक है वह ज्यादातर म्युनिसिपल एरियाज में है, म्युनिसिपैलिटीज के अन्दर रहते हैं और म्युनिसिपैलिटी सेनिटेशन आदि की सारी सुविधायें प्रदान करती है। फिर मसल में नहीं आता कि यह कमेटी क्या फैमिलिटीज देगी ? वहाँ गवर्नमेंट का खुद का सरकारी सम्पत्ति होता है जहाँ हर आदमी स्वस्थ सब्जी सुविधायें प्राप्त कर सकता है। तो आप फिर क्या फैमिलिटीज देंगे ? ...

Provision of improved water supply.

यह इन्जाम कौन करेगा। ये बड़े बड़े लोग ही करेंगे।

Provision and improvement of educational facilities और उन लोगों को मिला कर यह खर्च करने के लिए जा एडवाइजरी कमेटी बनाई है, उस के लिए जो मैंने पूछा है, उस का उत्तर मंत्री जी देंगे। उस उत्तर में मंत्री जी यह बनाने की कृपा करें कि कितना पैसा मेम्बर के टी० ए० और डी० ए० में होगा और कितना दूसरी चीजों पर होगा। इस के बारे में हम अभी कुछ पता नहीं है।

14.00 hrs.

फिर मैं आप से यह अर्ज करूँ कि वहाँ पर जो नगर पालिकाएँ हैं, पचायतें हैं, म्युनिसिपल बोर्ड्स हैं वे काम नहीं करेंगी और सब काम आप स्पेशल तौर पर करेंगे। इस के अलावा आप ने जो पहले एक पाम किया हुआ है जिस का नाम है

Beedi and Cigar Workers Act of 1966

उस के सेक्शन 15, 16 को आप देखिये सेक्शन 15 में यह लिखा हुआ है :

Every industry will provide first-aid facilities, water facility, etc.

इन सारे सेक्शन्स में आप बताएँ कि ऐसा एक भी आदमी है जिस का चालान किया गया हो और जिस को सजा हुई हो। 1966 से लेकर आज तक 10 साल के आकड़े मेहरबानी कर के आप पेश कीजिए।

एक बात और है। आप में कहा है कि यह एक डिपेंडेंट एक्ट है लेकिन डेफीनीशन्स के लिए आपने लिखा है कि

you go to the Beedi and Cigar Workers Act

क्यों नहीं आप डेफीनीशन्स भी इसी एक्ट में दे देते। डेफीनीशन्स के लिए वीटी एण्ड मिगार वर्कर्स एक्ट को देखना होगा।

आप ने एक मेन्टल एडवाइजरी कमेटी बना दी है। इस में अलावा स्टेट एडवाइजरी कमेटी बनाई है और कमिश्नर भी होगा। मैं जानना चाहता हूँ कि इन के क्या फंक्शन होंगे। इस में आई० ए० एस० आफिसर, जो सब कुछ जानने वाला होता है, ही कमिश्नर होगा। वह क्या काम करेगा। यह आपका करोड़ों रुपये का फंड होगा। इसलिए मेहरबानी कर के आप बीड़ी वर्कर्स के लिए मकान बनाइए या उन को मकान बनाने के लिए लोन लीजिए या कोई और दूसरी बड़ी स्कीम लाइए, जिस से उन का कुछ फायदा हो। अभी भाई राम सिंह ने एक नई बात कह दी कि इस से इम्प्लायमेंट मिलेगा और एम्प्लायमेंट अपोर्टूनिटीज बढ़ेगी। आप क्यों उन लोगों को खराब करते हैं। वे बीड़ी पीनी सीख जायेंगे।

आप के आई० ए० एस० में नये नये नौजवान अफसर आते हैं। उन में से अगर आप कुछ लोगों को वेलफेयर कमिशनर बनादेंगे तो वे बीड़ी पीना सीखेंगे। उन को आप क्या काम दे रहे हैं? यह तो एक छोटा सा काम है। इसलिए मैं माननीय रघुनाथ रेड्डी जी से प्रार्थना करूंगा कि वे इस पर पूरी तरह से विचार करें।

हम जो आज यह कानून पाम कर रहे हैं उस के बारे में रेडियों पर आ जाएगा और अखबारों में आ जाएगा कि मजदूरों के हितों के लिए बहुत अच्छा कानून पास किया गया है। उन के लिए पानी की व्यवस्था हो जाएगी और दूसरी चीजें हो जाएंगी और यह कहा जाएगा कि डिप्टी स्पीकर साहब की अध्यक्षता में यह कानून पाम हुआ है। बड़ी खुशी की बात है लेकिन इसका परपज क्या होगा। क्या हम दो करोड़ रुपये में मात्र खिलवाड़ नहीं कर रहे हैं? इस क पाम हो जाने के बाद मालिकों को छूट मिलेगी, नगरपालिकाओं को छूट मिलेगी, जिला परिषदों को छूट मिलेगी और पंचायत समितियों को छूट मिलेगी कि वे कोई काम इस बारे में न करे। मेरा कहना यह है कि मारा पैसा आप ठोस काम के लिए लगाइए।

आज क्या होता है कि अखबार मंगाते हैं, मैं ने देखा है क्योंकि मैं मेम्बर रहा हूँ, तो वह अफसरों के घर चला जाता है और वहाँ पर उन की बीबी बच्चे उस को पढ़ते हैं। जब वह खराब हो जाता है तब वह मजदूरों के पढ़ते के लिए आता है। इसी तरह से चंदा मामा और दूसरी जो मैगजीन होती हैं वे पढ़ने अफसरों के घरों में चली जाती हैं और जब वे खराब हो जाती हैं तो

महीने दो महीने बाद वर्कर्स के रीडिंग रूम में चली आती हैं। आफिसर्स के पास कोई काम नहीं होता है और वे इसी में लगे रहते हैं।

इस के बाद मैं यह जानना चाहता हूँ कि डिसेन्ट्रलाइजेशन के बाद स्टेट एडवाइजरी बोर्ड की स्टेट लेविल पर कब मीटिंग होगी? इस के बाद सेन्ट्रल एडवाइजरी कमेटी क्या करेगी। उस में भी को-आप्टेड मेम्बर का सिलमिला होगा। मैं तो ऐसा ममझता हूँ कि यह प्रोमीजर जो आलमारी में रखा हुआ था, उस को मेक्रेटरी माहब ने ला कर रख दिया है और कह दिया है कि यह प्रोमीजर लागू होगा। माइन्स के अन्दर वेलफेयर का बिल अभी हम न पास किया है। वे माइंस तो जंगल में होंगी और यह शहर में होंगी लेकिन कानून वही होगा। जो शहर में काम करने वाले हैं उन के लिए भी वही कानून लागू होगा और जो जंगल में काम करने वाले हैं उन के लिए भी वही कानून लागू होगा। जो इस देश में काम कर रहा है, उस के लिए यह कानून है। जो हमारे शहरों में काम करता है म्युनि-सिपल एग्न्या में काम करता है उस के लिए यह कानून है। यह पैमे के बारे में आप बिल्कुल ठाक कर रहे हैं कि उनकी वेलफेयर के लिए पैसा है। लेकिन मैं कहना कि इ० एम० आई० के अन्दर आप देखिए। इ० एम० आई० बनने के बाद भी आज मजदूरों को दवाइयां नहीं मिलतीं। इ० एम० आई० बनने के बाद पैसा खर्च हो गया लेकिन उन के लिए दवाए नहीं हैं। आप उन्हें मेन्ट्रल्ली पूल कर के रखिये। आप उनको कन्सोलिडेट कर के रखिये, छोटी छोटी जगह बांट कर के उन से लाभ नहीं होगा। इस से आपका एडमिनिस्ट्रेटिव खर्चा बढ़ जाएगा। कल इन्होंने जैसा कहा, मैं कहता हूँ कि ऐसी नौकरी करने से

[श्री मूल चन्द डागा]

भादमी की शक्ति नष्ट होती है। ऐसी जो नौकरी करता है, उसकी शक्ति नष्ट होती है। ऐसी नौकरी नहीं करनी चाहिए।

बीघली रोजा देसवाडे (बम्बई मध्य) : मैं इस बिल को तो समेट करती हूँ लेकिन जों कुछ बातें हमारे श्री इसहाक सम्भली साहब ने कही हैं, मैं उनसे सहमत हूँ? यह तो बात ऐसी नहीं है कि आपने फ़ण्ड एक बेल्टेयर के बारे में दे दिया और बस हो गया। यह विचार तो ऊंचा है लेकिन आचार भी उसी तरह का होना चाहिए। क्या हम यह फ़ण्ड बना करके यह सहु-लियत दे रहे हैं कि मालिकों को उनकी सब जिम्मेदारी से छुट्टी मिल जाए? पानी तक का इन्तजाम हम इस फ़ण्ड में कर रहे हैं। क्या मजदूरों को पानी देने की, लेट्रीन देने की उनकी जिम्मेदारी नहीं है? ये सब प्रोविजन्स करके, ऐसा करके बीड़ी का जो एक्ट आप ला रहे हैं, वह मजदूरों के नाम से आप इन मालिकों की मदद करना चाहते हैं। आप साफ़ कह दीजिए कि आप मालिकों के लिए और पैसे का इन्तजाम कर रहे हैं। क्या आपको अभी कम मुनाफ़ा हो रहा है जो वह कम्पलमन किया जाए? आप यह फ़ण्ड करके इन चीजों को किस लिए शामिल करने जा रहे हैं।

पहली बात ऐसी है कि लास्ट वजट में आपने एक काम करके रखा है। ब्रांड बीड़ी का जो प्रोडक्शन है, उसके ऊपर आपने टैक्स लगा दिया है। इससे कारखाने वाले कहेंगे कि हम बीड़ी के लिए ब्रांड नाम नहीं लगाते हैं। कारखानों को छुट्टी कर दो और प्राइवेट लोग काट्रैक्ट करके उत्पादन करो। कारखाने

दिन ब दिन कम होते जाएंगे और बीड़ी बनाने के काम काट्रैक्टर के पास चले जाएंगे। घरों में बीड़ी बनेगी। कारखानों में नहीं बनेगी। जब बीड़ियां कारखाने में बनेगी नहीं तो क़ैक्टरी एक्ट बगैरह बगैरह सब बंद हो जाएंगे। आप यह फ़ण्ड करके क्या करने जा रहे हैं। क्या आप चाहते हैं कि बीड़ियां घर में बनें।

घरों में बीड़ियां कैसे बनती हैं। औरतें बैठ करके बीड़ियां बनाती हैं। उनके बच्चे तम्बाकू में लडखड़ाते रहते हैं वे बच्चे टी० वी० लेकर पैदा होते हैं। जन्म के बाद भी टी० वी० में ही बड़े होते हैं क्या इन बच्चों के लिए आपने कुछ इन्तजाम किया है? मैं तो कहती हूँ कि आपने कुछ नहीं किया इन बच्चों के लिए। वे बड़े होकर हिन्दुस्तान की प्रजा बनेंगे। उनकी देखभाल करने के लिए स्पेसिफिकल्ली ट्रेस गांव गांव में बनाए जाए। क्या इन बच्चों की देखभाल करने की जरूरत नहीं है। बड़ी भ्रष्टी जो मोशल आरगनाइजेशन है, उनको आप बताइये कि ये ट्रेम चलाने की जिम्मेदारी आप पर है। इनकी जिम्मेदारी इन सोशल आरगनाइजेशंस पर छोड़ दीजिए कि वे इन ट्रेसिज का इन्तजाम करें। वे भ्रष्टी तरह में इनका इन्तजाम कर सकती हैं।

ये औरतें घरों में काम करती हैं। अब घर में एक काट्रैक्टर तम्बाकू लाकर देता है, बनी हुई बीड़ियां ले जाता है। क्या ऐसा नहीं हो सकता है कि जिन गांवों में प्रीडोमीनेन्टली औरतें घरों में बीड़ियां बनाती हैं उनमें बेल्टेयर की तरफ़ से एक बड़ा भारी हाल कंस्ट्रक्ट कर दिया जाए? इस हाल में जाकर वे औरतें बीड़ियां बनाएं? जहाँ कहीं से या जो कोई काट्रैक्टर बीड़ियां ले, वह वहाँ से 8 से 5 बजे तक बीड़ियां ले।

घर में बोड़ियां बनाई जाती हैं तो उनके बच्चों की संख्या पर तम्बाकू का बहुत बुरा असर पड़ता है। इस वास्ते बच्चों और औरतों को इस से छुटकारा मिल सके इसके लिए वह जरूरी है कि कोई हाल कंस्ट्रक्ट हो जाए और आप अपनी तरफ से इसमें से कर दें तो ज्यादा अच्छा होगा। मालिक लोग करने वाले नहीं हैं, कांस्ट्रक्टर करने वाले नहीं हैं। घरों में बोड़ियां बनाई जाएंगी तो यही हाल रहेगा। बम्बई में हमने देखा है कि घरों में औरतें बोड़ियां बनाती हैं, वहीं बच्चे रहते हैं, वहीं वे सोते हैं, सब कुछ वहां चलता है। आपने अगर इस तरह के काम नहीं किए और कह दिया कि फंड आपने बना दिया है तो यह नाम के वास्ते ही होगा। मजदूरों को देखभाल आप करने हैं यह नाम तो आपका हो जाएगा लेकिन असल में मजदूरों के पल्ले में कुछ नहीं आएगा। मजदूरों को वास्तव में कोई फायदा नहीं होगा। मालिक लोग इस नाम से या किसी दूसरे नाम से पैसा इकट्ठा तो कर लेंगे लेकिन खुद कुछ खर्च करने वाले नहीं हैं।

एडवाइजरी कमेटीज की आपने व्यवस्था की है। चाहे आप दस बना दें या सौ बना दें इससे आपको हो सकता है कि तसल्ली हो जाए कि हमने बहुत बड़ा काम किया है, टेट लेबल और सेंट्रल लेबल पर हमने कमेटियां बना दी हैं लेकिन आपको देखना चाहिए कि क्या ये कमेटियां इफैक्टिवली काम भी कर रही हैं या नहीं कर रही हैं। ऐसी कमेटियां आप बनाएं जो फंक्शन करें। ऐसे आवेगियों को आप उनमें रखें जिन

को कुछ मालुम भी हो, जो जाकर देखें और चेक करें कि क्या हो रहा है, क्या वेलफेयर एक्टिविटीज हो रही हैं और इसमें आपको सोशल आर्गनाइजेशंस का और खास करके विमेंज आर्गनाइजेशंस का इनवाल्वमेंट करना चाहिए, उनका कोऑपेरेशन लेना चाहिए। औरतें जो इस काम को करती हैं उनकी मेहनत का भी ब्याल आपको रखना चाहिए। दिन भर में आधा लिटर दूध पीने को उनको मिले ताकि वे टी बी से मुकाबला कर सकें। इस तरह को चोखें हो रही हैं या नहीं हो रही हैं एडवाइजरी कमेटीज जाकर इनको देखें, न कि अफसरों ने जो कुछ कह दिया और वे चाहे जो करते रहें और ये कमेटीज उनमें न जाएं। यहाँ मेम्बरों ने जो सुझाव दिए हैं उन पर आपको मोच विचार करना चाहिए। बाद में एडवाइजरी कमेटीज जो आप एप्वाइट करें वे जो भी सुझाव आपको दें आप उनको इम्प्लेमेंट करें और उनको इम्प्लेमेंट करने में आप पर कोई कम्प्लेशन हो ऐसा भी कोई इतजाम आपको इस एक्ट में करना चाहिए। ऐसा आपने किया तभी वास्तव में कोई लाभ मजदूरों का होगा। नहीं तो यह एक्ट आपका किताबों में रह जाएगा और हमका फायदा सिर्फ मालिकों को ही मिलेगा।

SHRI VAYALAR RAVI (Chirayinkil): Mr. Deputy-Speaker, Sir, I welcome the Bill moved by the hon. Minister.

I would like to quote one sentence from the Statement of Objects and Reasons of the Bill. It says: "Welfare measures to ameliorate the living conditions of the labour employed in the beedi establishments are not satisfactory." I am glad that the hon. Minister is aware that their welfare conditions are not satisfactory. At the same time, I am afraid that the people who

[Shri Vayalar Ravi]

drafted this Bill do not know even the ABCD of this industry or the problem of the workers as such.

In Kerala there are 30,000 workers. There was one company which was closed down. The Kerala Government paid money. Then a cooperative was set up. They are facing tough competition in the beedi market. These 30,000 workers are facing unemployment because of lack of initiative from the Central Government because the Bill which you passed in 1966, you never cared to implement, even though you know, the condition of the workers is not satisfactory. In Kerala, they tried to implement it. I disagree with Mr. A. K. Gopalan that they are not trying to implement it. The Kerala Government has provided all the facilities that are mentioned in the Bill of 1966. So, Kerala is the only State which implemented it. In other States the condition of the workers is just like bonded labour. I would request the hon. Minister to examine the whole matter. Then, Sir, coming to the bill, Clause 4 says that the purpose is:

"(a) to defray the cost of measures for the benefit of such persons directed towards...."

Mr. Daga had quoted some clauses from the 1966 bill regarding water facilities. I am unable to understand what is meant by this. You have constituted a fund. For the purpose of utilizing this fund, you must know the conditions of the workers, the area of their working and the needs of those areas. You cannot adopt a pigeon-hole approach to the problem. You are now enabling the employers to shirk the responsibility imposed on them under the bill passed in 1966. You are now passing it on to the advisory committee. The employers would say that because of the new bill, it was not their responsibility. The provision in the new bill in regard to the water supply is quite

vague. I am afraid that even the Minister would not be able to explain it. I fully agree with the hon. Members who had talked about provisions relating to health. Now about sanitation. The beedi workers are scattered. It is a cottage industry. Some people may do it in their own houses. In some cases, there may be contractors. How can you provide medical facilities to 2 or 3 persons in an area? Again, how will this committee function? If you want to give medical facilities, I suggest that you implement the Act of 1966. The ESI should cover these people. The clause in the new bill is very vague. Now about the provision regarding malnutrition. The State committee will have to accept the recommendations coming from below. Who will recommend? What is the function of the advisory committee? Is it meant only for recommending housing loans or making water supply to certain houses or to supply nutritious food to the employees? What is the purpose and function of this Committee? It might help the employer since it takes away the responsibility given to him under the old Act. The functions of this advisory committee should be well defined. It should not be a committee merely to recommend housing loans, etc. Lastly, I urge upon the Minister to see that the 1966 Act is implemented and to take necessary steps to ensure that every State follows the provisions.

SHRI K. MAYATHEVAR (Dindigul): I welcome the bill. On the face of it, the object is very fine. But when we go into the latent aspects, we become quite unhappy. We appreciate the merits of the bill. I am not a smoker. I am not for beedi-smokers; but I am for beedi-makers i.e. beedi employees. I am not for beedi-manufacturers. We are for a welfare State. The welfare of the employees, including that of the beedi workers, is very essential and inevitable for ensuring the welfare of the country. As you all know, the

beedi workers are suppressed from time immemorial. Their condition is not only very bad. But they are living in a very awkward situation for a long time. Therefore, the Government should redeem them from their awkward position. This Bill is just beating about the bush. It does not provide any real protection even to the bare requirements of the beedi employees and workers.

The method of collecting money for providing these benefits to the beedi workers is also a funny one. This fund is not flowing from the Consolidated Fund of the Government of India, or of the State Government. This money is going to be collected by way of a levy in the form of a cess from the persons who are purchasing a certain type of tobacco from the warehouses. It is a wonderful device or means of collecting money for the welfare of the workers. The money collected in this way will not be sufficient or adequate to meet the multifarious requirements of the beedi workers. The amount collected in this way will be meagre, insufficient and inadequate. Therefore, Government should not only collect money through this cess but should provide more money from their own funds for providing facilities to the beedi workers. There is a proverb in Tamil which talks of a person going to a shop and picking up a coconut, not paying for it, and then going to a temple on the opposite side and sacrificing that coconut to propitiate the God. This Bill is more or less on the same pattern. You are collecting money by way of cess from the industry and then spending it on the workers. That is not sufficient. You have to provide more money from the Consolidated Fund for the welfare of these workers.

So far the Government were giving incentives only to the employers who belong to the capitalist group. Now
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that they are thinking of giving some benefits for the workers, I plead for the supply of dress or uniforms to the workers, at least for the men workers, if not ladies. I am suggesting this because they come from the low income group. It is not that I am against the supply of dress to ladies, in fact, I have more sympathies for ladies. I was only suggesting that dress should be supplied, at least to men if not to all.

Certain hon. Members have pleaded efficiently for adequate or sufficient compensation for those workers who are affected by TB or other incurable diseases. Since these workers become sick in view of the peculiar nature of the industry, provision should be made to protect such people and provide them some relief.

The workers engaged in the beedi industry do not fall within the four corners of the Industrial Disputes Act, or any other labour legislation. Nor do they come under the Factories Act. As a lawyer I can say that this Bill is beyond the reach of other laws passed by the Central and State Governments. My fear is that the beedi manufacturers, who belong to the capitalist group, would not be controlled by this legislation. Therefore, this Bill should be within the jurisdiction of the State and Central laws, and all other labour laws.

Then I plead for minimum wages being fixed for the bidi workers. This has not been done so far. As Shri Vayalar Ravi and other learned Members have pointed out, this point is very important for protecting their interests. Government should take immediate steps to see that minimum wages are guaranteed and implemented.

There should be equal wages for men and women in the same industry for the same type of work. This Bill is absolutely silent on equal treatment

[Shri K. Mayathevar]

for these people. I can say that article 14, equality before the law, has not been followed so far as bidi workers are concerned.

The benefits given to these people are not satisfactory, not clear. Everything is ambiguous, vague. Therefore, you must find out satisfactory and proper ways and means to contribute more funds to the bidi workers to safeguard their interests.

If these drawbacks, lacunae, defects and infirmities are cured, then the workers will be benefited.

SHRI CHAPALENDU BATTACHARYYA (Giridih): I certainly support this Bill to provide for the financing of measures to promote the welfare of persons engaged in bidi establishments, but some of the difficulties have already been outlined by the previous speakers.

Bidi workers, particularly those working on piece rates in their homes, do not come under the Mines Act, they are not covered by the provisions of the Factories Act or the Shops and Establishments Act. In fact, they have fallen between all these three stools. I have in mind similar workers in mica, numbering two lakhs of home splitters, who are not attracted by any of these laws. Their wage earnings are Rs. 1.50 to Rs. 3.50 per week. Market forces can never remedy their situation. So, the difficulty about these welfare measures is that in order that these workers are enabled to take advantage of the welfare measures, you have to fix their minimum wages. In bidi, some attempts have been made, but in mica home splitting there has been no attempt whatsoever. The problem has been shoved under the carpet.

MR. DEPUTY-SPEAKER: Misa is a different question. He has promised to look into it.

SHRI CHAPALENDU BHATTACHARYYA: There can be a haphazard

form of welfare activity as against real welfare activity.

You had just now passed a Labour Welfare Fund Bill. I suggest that this thing should be done on the same lines. So, in this a similar approach has been made. For instance, the workers would be enabled to build their own houses. As far as the Beedi industry is concerned, particularly out of the welfare fund, the beedi workers may be enabled to start their co-operatives and manufacture beedis on their own. In almost all these places where there is one crop economy in forests, the advasis are living, they are living in utter misery. So, this welfare fund must be purposefully utilised so that these advasi men and women, who pluck kendu leaves and enable the whole-salers to mint millions of rupees out of beedi business, may come up in their life. This amount should go for their welfare.

I request the Labour Minister to make a particular note of this aspect of the beedi manufacturing industry. We do not know the number of beedi workers all over India. There has been a displacement of beedi workers by the machines with which we are going to export machine made beedis.

The question of medical aid through ESI has already been touched upon by my friend Mr. Daga. The approach of the ESI is to supply six types of standard mixtures irrespective of the ailment. In this complex world, this mixture cannot take care of all the diseases. The diseases are partly occupational, high incidence of T.B. nutritional deficiency and partly environmental. The approach of the ESI to the health is, to say the least, most inadequate.

About education of the sons of the beedi workers, I would like to say that urgent steps should be taken so that they can be educated. Otherwise, they cannot dream about their education.

Their sons and daughters can be educated with the help of stipend to become doctors and engineers.

(Interruptions)

In coal industry, they have already done it. It is possible and it should be done. Unless education is spread to that level and they are pushed up, the workers cannot be enable to attain that quality of good life by the external effort of merely a welfare fund. This is started with a fan-face and you give a shape, draw a budget through committees, but very soon, it loses momentum; it starts losing momentum. What should be a movement degenerates into a department and all the power equation of the high officials, the Deputy Welfare Commissioners, the Welfare Commissioners and the welfare inspectors, it is just as good or as bad as an intra-union rivalry. So, such equations start playing their role. The primary objective of going out of welfare activities for the workers recedes to the background.

I appeal to the Labour Minister to ensure that activities of all these welfare organisations, coal, mica, iron ore, manganese, dolomite and all the rest of them, should be orchestrated through guidelines so that these power equations do not obscure the major objective of bringing about a change in the far away places in the lives of millions and to that extent help in implementing the 20-point economic programme.

SHRI C. K. CHANDRAPPA (Telli-cherry). Mr. Deputy-Speaker, Sir, I think, the hon. Minister will also agree that although he has brought forward a well-intentioned Bill, it has been opposed by almost everybody. This is a very strange situation. It is because of lack of realism on the part of the Government to understand the problems of an industry like this and to bring forward Bills, one after another.

I agree with the hon. Members who spoke about the failure of the Government in implementing the Beedi and Cigar Workers (Conditions of Employment) Act, 1966. I think, there will not be any difference in regard to the fate of these Bills which we are discussing today. In my opinion, this happened not because the Government did not want to implement it but they refused to look into the problems of the Beedi industry. In this industry, according to Government's own statement, 1 million persons are employed. But there are 2-1/2 million people who are indirectly and partially employed in this industry. It happens because of certain peculiar features of this beedi industry. One-third of this industry is in the organised sector where factories are there and where factory labour legislations could be easily implemented. But the remaining two-thirds of the industry is in the unorganised sector. It is, more or less, a cottage industry. How a welfare legislation for the workers in this industry will be seriously and sincerely implemented when they do not know even how many workers are there.

Now, there is an amendment for which a notice has been given by Mr. A. K. Gopalan. I do not know what will be the reaction of the Government. It says that there should be a register kept by the Government in every area where bidi industry is concentrated and there they should register the names and other details of the workers. Then, there can be at least some record about the number of workers who will be benefited by this welfare legislation. The Government does not know how many workers are there. They know how many workers are there in the factories but they do not know about the two-thirds of bidi workers who are working in cottages and all that.

The two-thirds of bidi workers are being supplied all tobacco and leaves by the contractors in their houses or

(Shri C. K. Chandrappan)

places of work. There is no time-limit for doing work. When they feel that they should work, they work. It is reported that men and women work for 12 hours a day and that children are also largely employed in this industry. The Government does not know about it. They know it but they do not have the facts about it. This is a problem about which the Government should tell us how they are going to tackle it when they seriously think about implementing this welfare legislation.

In regard to the Bidi and Cigar Workers (Conditions of Employment) Act, the failure to implement it, there are certain facts. There are certain things from which the Government should learn some lessons. What happened in Kerala? In Kerala, the Government wanted to implement the Act. They said, hereafter the employers should follow the rules. The employers said that they are not working in Kerala. That is what one of the big manufacturers of bidi from Mysore State, Ganesh Beedi, said. They had big factories and I think, about 22,000 workers or something like that were working there. When the minimum wages were enforced, they bid goodbye to Kerala and shifted the industry to Karnataka where the working class movement is not so strong as it is in Kerala, where the bargaining capacity of the workers is less. The employers thought that they should go there because they could exploit the workers there. The Kerala Government reorganized the industry on cooperative lines. I would like the hon. Minister to listen to what I am saying. If you are serious about implementing such legislations, you have to re-structure the industry on cooperative lines. That is my suggestion...

SHRI B. V. NAIK (Kanara): I am supporting your argument. For your information I may say that, in the State of Karnataka, organization of cooperatives for beedi workers is prohibited.

SHRI C. K. CHANDRAPPAN: That is a very good information you have given.

What I am saying is this. If you really want to implement your legislation, then you have re-structure the industry; there is no way-out; there is no short cut to socialism; you have to re-structure the industry on cooperative lines; then you will be able to run it, you will be able to fight the monopoly interests in this industry. That is our experience in Kerala and I am sure that the Minister is aware of it. When 22,000 workers were thrown out of employment and the industry shifted itself from Kerala to Karnataka, the Kerala Government stepped in and re-organized the industry on cooperative lines and provided employment; not only were they provided with subsistence, but they were also given all the facilities which are required to be given to the workers under the Act, which you have forgotten to implement. Mr. A. K. Gopalan will agree that this is happening in Kerala. That is possible. If you do not think on those lines, then this will only remain in the holy book of legislations and will never be implemented.

Another point I want to make is this. You are going to collect by way of cess Rs. 180 lakhs, if I have understood it properly. I think, that is a very meagre amount. That is not going to bring about all these big things which Government is seeking to give on page 2 of the Bill--sanitary facilities, water facilities, education, this and that. I have a suggestion to make. I am not a lawyer to know the technical detail of it. In this beedi industry, there are two components: tobacco and Kandu leaves; tobacco is used to the tune of Rs. 60 crores per year and Kandu leaves are used to the tune of Rs. 80 crores per year. Can you bring some kind of a cess? Do not give me a technical answer saying that cess is not possible and all that.

By some way, can you bring some revenue? I am not an expert in this. But I think something should be done so that some revenue will be there from this, so that you will have a reasonable amount for the welfare of the workers. I hope Government will consider this.

SHRI VASANT SATHE (Akola)
Contractors will be the losers if you put cess.

SHRI C K CHANDRAPPA Government is looking for socialism and should be happy about it.

Before concluding I would like to say one thing. This is one industry where the majority of the workers are women. Very recently the Commission on status of Women brought out their report. There they say that this is one sector where women are so brutally exploited. I do not know, what the Government will do about it. They have to bring a more comprehensive legislation, where they should visualise the restructuring of the industry and it should be implemented simultaneously all over the country. Only then such measures will be beneficial to the workers and the country. I hope this has been considered and you will not just reject our amendments. I support fully the amendment of Shri A K Gopalan that cigar workers should be included in this. This is very important and I do not know how you have forgotten them. All the legislation in regard to workers has in the past included these workers also. I hope that they would be included.

श्री राम हेडाऊ (रायटेक) उपाध्यक्ष
महोदय बीड़ी बर्मकार मल्याण उपकर विधेयक का मैं समर्थन करने के लिए खड़ा हूँ।

यह नो उद्योग है, यह एक गृह उद्योग है जिसे हर घर में किया जाता है। महागण्डू में यह उद्योग अधिकतर भणारा बन्नापुर और नागपुर में मालिकों द्वारा चलाया जाता है और

मालिक लोग इस धंधे से करोड़पति बन हुए हैं और उनके शोषण के तरीके और जरिये और दुनिया से दूसरे हैं। श्रमिकों को कुछ राहत देने की दृष्टि से सरकार ने आज तक जितने भी कानून बनाए हैं उनका कोई असर मालिकों पर नहीं हुआ है और आज भी ये मालिक बड़े अच्छे ढंग में इस उद्योग में काम करने वाले मजदूरों का शोषण करते हैं। ऐसे मैंने कहीं नहीं देखा है कि पूरा काम होने के बाद उसका पूरा मुआवजा मजदूरों को न दिया जाए लेकिन यह बीड़ी उद्योग ही एक ऐसा उद्योग है जिसमें मालिक वर्ग में पूरा काम तो करा लेते हैं लेकिन उनका पूरी मजदूरी नहीं देते हैं। वे मजदूर से एक हजार बीड़ी बनवा लेते हैं मगर उन एक हजार बीड़िया में छोट-छोट कर निकाल लेते हैं और यह कहते हैं कि ये पीने से उपयोग की नहीं है और इनकी बनावट ठीक नहीं है। इस तरह से एक हजार बीड़ी में से 300, 400, 500 और 500 बीड़ी घटिया वह कर निकाल देते हैं और बाकी 500, 600 और 700 बीड़ियों का भुगतान करते हैं। मजदूरों का इतना बड़ा भारी शोषण माला में हो रहा है और यह सब लोग की गिराव में है। इससे बाढ़े में बीड़ी यंत्रियनो व न्यायदा की तरफ से बहुत चिल्लाहट हुई लेकिन सरकार पर इसका कोई असर नहीं हुआ है और सरकार ने ऐसा कोई कदम नहीं उठाया है जिससे इस प्रकार का शोषण बन्द हो।

बीड़ी के उद्योग में काम करने वाले बहुत से मजदूर टी० बी० में पीड़ित हैं और उनको खाने को नहीं मिलता है। उनकी कई समस्याएँ हैं लेकिन उनको मुलजाने की बजाए उनका शोषण होता है। इस उद्योग में मजदूरों के बच्चे, बीबी और वे खुद 18, 18 और 20, 20 घंटे काम करते हैं लेकिन फिर भी उन को पेट भर खाने को नहीं मिलता है और उनकी बहुत बुरी दशा है।

[श्री राख हेबाळ]

एक बात मैं यह कहना चाहता हूँ कि आप ने जो बीड़ी, सिगार एक्ट बनाया था, उस पर भी पूरी तरह से झगल नहीं हुआ है और मजदूरों को पूरी मजदूरी नहीं दी जाती है। एक बात तो यह है कि दलाल बीच में उनको लूट लेते हैं। वे मालिक से पैसा तो पूरा ले लेते हैं लेकिन इन लोगों को पूरा भुगतान नहीं करते हैं। ये लोग बहुत गरीब होते हैं और ज्यादातर शैड्यूल्ड कान्ट और शैड्यूल्ड ट्राइब्स के लोग इस धंधे में लगे हुए हैं जिनका पूरा परिवार काम करता है। वैसे यह एक ऐसा उद्योग है जिसमें महिलाएं बहुत अधिक हैं लेकिन फिर भी उनको हमेशा लूटा गया है। भंडारा जिले का मैं एक उदाहरण दूंगा। वहां पर एक बीड़ी संगठन में काम करने वाले एक बड़े भारी नेता ने करीब पांच लाख रुपये का गबन किया है। पांच लाख रुपये मजदूरों में बटवारा करने के लिए दलाल ने मालिकों से पैसे तो ले लिये लेकिन उस पैसे का बटवारा नहीं किया। वह आज भी केम कोर्ट में चल रहा है। सरकार को चाहिये कि वह इसका पता करे। कौन वह आदमी है और किसका उसको संरक्षण प्राप्त है। बड़े लोगों के संरक्षण में ये लोग अपना धंधा चलाते हैं। जो थाली और लोटा लेकर चला था और यह धंधा उसने शुरू किया था वह आज करोड़पति हो गया है। टैक्स भी वह पूरा नहीं देता। मजदूरों को मजदूरी भी पूरी नहीं देता। मजदूरों की बलाई के लिये इन लोगों ने कोई भी काम नहीं किए हैं।

बैलफेयर करने की दृष्टि से जिला ने रनर पर जो कमेटीज बनी है इनका मालिक लोगों पर कोई असर नहीं होता है। ये बहुत ही मजबूत और जोरदार लोग हैं। बीड़ी मालिक जो हैं—मैं भंडारे जिले की बात खास तौर पर कहता हूँ—ये कांग्रेसी लोग हैं, इन्होंने कई सालों से जनता का, जो लोग इस काम में लगे हुए हैं उनका शोषण किया है, अपने

इन करों को छिपाए रखने के लिए ये कांग्रेस में रहते हैं, कांग्रेस में उच्च पदाधिकारी हैं, बड़े धोखों पर हैं, कलक्टर से लेकर यंत्री तक इनसे चबराते हैं। ये मजदूरों का गला घोटते हैं और अपना पेट भरते हैं।

इस बिल का मैं स्वागत करता हूँ और मंत्री जी को इसको लाने के लिए धन्यवाद देता हूँ। मैं चाहता हूँ कि बीड़ी मजदूरों के नुमाइन्दे भी इसमें लिए जाए। साथ ही जो उस क्षेत्र का प्रतिनिधि हैं उसको भी लिया जाए। पार्लियामेंट के कुछ मੈम्बरों को भी लिया जाए। मजदूरों की जो समस्याएँ हैं उनका सही समाधान होना चाहिये। शोषण जो बुरी तरह से जारी है यह बन्द होना चाहिये। इसको बन्द करने की दृष्टि से तुरन्त कुछ हलचल होनी चाहिये। नभी आपका जो बीस सूची कार्यक्रम है इसका कुछ अंश सफल रहा है, ऐसा कहा जाएगा। आज जो छोटे लोग हैं और जो बहुत आशावान थे, वे निराश होते जा रहे हैं। कही यही स्थिति यहाँ भी इसको न हो, यह आपको देखना चाहिये।

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): I am extremely grateful to you and the hon. members who have participated in the debate extending their wholehearted support, of course, not without criticisms, and the suggestions. As far as the suggestions made are concerned, they would be treated with the highest respect and I undertake to see in what manner they can be implemented in the process of implementation of various provisions of the two Bills. At the outset I am free to state that this is a very modest measure. I have not come here with high objectives to be mentioned here. This is a very modest measure, though the hon. members have expressed very high expectations to come with regard to the various provisions of the Bill. I must submit, this is very modest to begin with.

With regard to levy, though the law says we can go up to Re. 1, we are beginning with 25 nP. Mr. Chandrapan says unless there is Socialism, it is not possible to deal with all these questions. I do not want to go into political questions of that measure because it is now accepted by all the leading economists of even the capitalist order that socialism is no more a question of ideology. It has become compulsory necessity. Therefore, I need not argue that question one way or the other. It has been accepted by everybody concerned that Socialism is a compulsory necessity. In the year 1954 this very August House passed a Resolution about the Socialist Pattern of Society. I need not go into that question.

Shri Gopalan has raised a question of interpretation whether there is adequate provision for enforcement i.e. how are you going to enforce the Cess Bill itself? I may draw your kind attention to Clause 3. The words used are—

"a duty of excise at such rate not exceeding one rupee per kilogram"

This cess is treated as excise duty—

Once it is done, "The duty of excise levied under sub-section (1) shall be in addition to any cess or duty leviable on tobacco under any other law for the time being in force."

"The proceeds of the duty of excise levied under sub-section (1) of section 3 shall be credited to the Consolidated Fund of India."

This is treated as an excise duty.

All the other provisions relating to Excise will follow. Therefore, my submission is, all the rules shall be made applicable to that effect.

SHRI SOMNATH CHATTERJEE :
(Burdwan) : May I know the provision of which Excise Rule will apply ?

SHRI RAGHUNATHA REDDY : All the rules with regard to collection of Excise duty would apply.

SHRI SOMNATH CHATTERJEE :
Can you provide a penalty under this Head by taking recourse to un-named legislation ?

SHRI RAGHUNATHA REDDY : This is the legal position about which we have been advised and if there is any amendment necessary to that effect we will come forward with that.

About advisory bodies and their functions I would say this. This is something which is constituted in almost all welfare legislations. The representatives of the employees must be brought into the picture. They must have a sense of participation in everything. The employers' representatives must be there. Government is there. It is a tripartite body and this is recommended by most of the Labour Conferences ILO bodies etc. This sort of Tripartite body has come into being in all these matters. So, there need not be any kind of adverse criticism on this account. Regarding the suggestions which have been made on the functioning of these bodies are well taken and the suggestions will be kept in mind.

Regarding the collection of statistics, I wish to say this. Although Mr. Chandrapan had not moved an amendment to this effect, he had made a mention about this. In this connection I would invite his attention to page 5 of the Beedi Workers' Welfare Fund Bill. There is Clause 11. It says :

"The Central Government may require a State Government or local authority or employer to furnish for the purposes of this Act such statistical and other information in such form and within such period as may be prescribed."

Therefore, the Government has taken the power to prescribe such thin-

[Shri Raghunatha Reddy]

for collection of statistical information and the purpose of his amendment is well-met by this particular provision of Clause 11 itself

There is a difference between Cigar workers and Beedi workers. This has to be kept in mind. Cigar workers work in the factories which comes within the purview of the Factories Act. All the provisions of the Factories Act and in certain cases the provision of ESI Act would apply there. Those benefits will accrue to the cigar workers. In respect of beedi workers it is mostly a cottage industry. Women work there. There is no welfare organisation which is looking after their interests. Mr Vayalar Ravi and others mentioned about this. Mr A K Gopalann made a mention regarding Beedi and Cigar Acts. What I would impress upon him is this. This distinction will have to be drawn in the objectives of these two Acts. That Act is mainly concerned with conditions of working, in the manner in which factories will have to function.

1500 hrs

Therefore the two aspect of the welfare activities will have to be dealt with as a matter of distinction than as a convention though you cannot avoid certain overlapping, in respect of the factories where the beedi workers work.

Sir we are here mainly concerned with those unfortunate workers especially, the women who work in their huses. It is our effort to see in what manner the welfare benefits could be provided for them. That is the reason why this kind of legislation had been thought of.

Another point that has been raised is this that notwithstanding the fact that this Beedi Cigar Act had been passed in 1966 you have not implemented the act, why don't you implement it? This is a very valid question that has been raised. The hon. Members know this, Shri Gopalan, especially, must be knowing that, with

his understanding of this matter especially in Kerala State when this Act had been passed. It had a very chequered history, this matter had been agitated before the Supreme Court. And, in the year 1974 only the Supreme Court could decide this matter in favour of the view of the enactment itself. From that stage the appropriate authority to implement this legislation is the State Government.

With regard to the minimum wages for the beedi workers, I do not wish to say that we want to fix the minimum wages under the Minimum Wages Act. But, we want to fix up some wages at least which will have some uniformity from state to state. We had at the meeting of the Labour Ministers, discussed this matter and we had arrived at a certain understanding that each State must prescribe certain wages for the beedi workers, which may vary from one particular figure to another. Now when the notifications were issued certain difficulties arose. The manufacturers started migrating from one State to another saying that the wages that had been prescribed by one particular State are higher than the wages that are available in another State. Mr Chandrappan said something about the tendu leaves. For instance in one State where the tendu leave is available more where there is less transport expense there the wages are higher and so the industry is shifted to other States and therefore the States Labour Ministers were faced with the problem of unemployment in their State as a result of fixing of minimum wages or uniform wages. For instance Shri Gopalan himself knows—I am not trying to defend this but I am only trying to point out difficulties. (Interjections)

SHRI A K GOPALAN Has the Government thought about it? Why then did they not bring in an amendment so that this difficulty could be overcome?

SHRI RAGHUNATHA REDDY It is not a question of bringing in an

amendment, it is not that we do not have the power, I am only trying to bring out practical difficulties involved in the matter. For instance, in Kerala State itself, the government-run factories pay much higher wages than other factories run by the private companies. Take for instance Kasargode. It is almost a border area going upto Karnataka. What happened there is this. When in Kasargode, the State Government insisted on the private factories that they will have to pay more wages than what have been paid by the government-run factories, the owners of private factories started stopping the factories and started migrating to Karnataka area where the wages are less. In fact I know that the trade union leaders met me at that time and they were agreeable even if they reduced the wages that were prescribed by the State Government in order to find employment for the people who are involved or who got themselves unemployed. As a result of this there are many practical difficulties. It is not such a very easy matter that this could be settled by way of legislation or an amendment of an enactment. Therefore this will have to be settled by discussion between the trade union leaders, government representative and also the employers concerned. This is an effort in this direction in which we are moving. In fact Government agree that the problems could be solved. I would like to assure you that we would like to do our best in order to see that these problems are solved. This is the background in which this legislation will have to be viewed. I do not want for a moment that the Members should have the impression that I am trying to replace all the beneficial measures that would be undertaken by the State Governments or any other organisation in order to promote the welfare of the beedi workers. This is only modest measure in order to help these unfortunate persons who do not so far have any other way of getting these benefits because of their occupational hazards as well as the occupational charac-

ter of the distribution of personnel in various places. Thank you very much.

Sir, I move that this Bill be taken into consideration.

MR DEPUTY-SPEAKER: I shall put these two motions one after the other. The question is—

"That the Bill to provide for the levy and collection, by way of cess a duty of excise on tobacco issued for the manufacture of beedi, be taken into consideration."

The Motion was adopted.

MR DEPUTY-SPEAKER: The question is—

"That the Bill to provide for the financing of measures to promote the welfare of persons engaged in beedi establishments, be taken into consideration."

The Motion was adopted.

MR DEPUTY-SPEAKER: Now we take up clause by clause consideration. First the Beedi Workers Welfare Cess Bill. To clause 2, there is no amendment. The question is—

"That clause 2 stand part of the Bill."

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 3—(Levy and collection of cess on Tobacco issued for manufacture of beedi)

MR DEPUTY-SPEAKER: Is Shri Gopalan moving his amendment?

SHRI A. K. GOPALAN: Yes. I am moving this because it has already been explained here not only by me but by the other speakers also that there is a difficulty. If there is no register and a register is not kept, specially in those States where women

[Shri A. K. Gopalan]

are working in houses, you do not know how many are working and where they are working. So I have said that the executive authority of every local authority shall prepare a register of beedi and cigar workers—if 'cigar workers' and not there, I will say beedi workers—residing within the jurisdiction of that local authority. The register shall contain such particulars as may be prescribed. The register shall be maintained by the executive authority in such manner as may be prescribed.

I am saying this because if this is not done, one does not know where they are working. The welfare fund is for the workers. How many workers are there, where are they working? This is not seen, this is not known. So for whom will you spend this fund?

MR. DEPUTY-SPEAKER: What are you talking about? On which amendment?

SHRI A. K. GOPALAN: 'After line 20 insert'

MR. DEPUTY-SPEAKER: This is the first Bill. You want cigar to be included.

SHRI RAGHUNATHA REDDY: He is speaking about the second Bill.

MR. DEPUTY-SPEAKER: We are taking the first Bill now. You put away the second Bill.

SHRI A. K. Gopalan: I was told there is some objection.

MR. DEPUTY-SPEAKER: This is the confusion when you take up two Bills at the same time. We are discussing clause by clause the first Bill, the Beedi Workers Welfare Cess Bill. You gave notice of an amendment where the recommendation of the President was necessary. Now I have been informed that the recommendation of the President has been received and

that is why I called you to move it. If the recommendation of the President had not been there, I would not have called you. When I called you, you may be sure that the way is cleared for you.

SHRI A. K. GOPALAN: I misunderstood it. I beg to move:

Page 1, line 17,—

after "beedi" insert—

"or cigar, as the case may be".
(2)

I have already explained it. I do not want to make a speech now.

MR. DEPUTY-SPEAKER: I will put it to the House. The question is:

Page 1, line 17,—

after "beedi" insert—

"or cigar, as the case may be".
(2)

The motion was negatived.

MR. DEPUTY-SPEAKER: The question is:

"That clauses 3 and 4 stand part of the Bill"

The motion was adopted.

Clauses 3 and 4 were added to the Bill.
Clause 4A (New)

SHRI M. C. Daga: I move:

Page 2,—

after line 10 insert—

"4A. The amounts made available for welfare of workers in each State, shall be in proportion to the amount of cess collected in that State".

(4)

It is an innocuous amendment and I have moved that amendment. It says:

after line 10 insert—

“4A. The amounts made available for welfare of workers in each State shall be in proportion to the amount of cess collected in that State.”

The point is that it should be spent in that state itself.

SHRI RAGHUNATHA REDDY: It is not merely the amount of cess collected but also the number of workers who are in need. Therefore, we do not want to prescribe any conditions.

MR. DEPUTY-SPEAKER: So, you oppose this amendment, I shall put amendment No. 4 to the vote of the House.

Amendment No. 4 was put and negatived.

MR. DEPUTY-SPEAKER: The question is:

“That clauses 5 to 7 stand part of the Bill.”

The motion was adopted.

Clauses 5 to 7 were added to the Bill.

Clause 1—(Short title, extent and commencement)

SHRI A. K. GOPALAN: I beg to move:

Page 1, line 3,—

after “Beedi” insert—

“and Cigar”. (1)

MR. DEPUTY-SPEAKER. I shall put amendment No. 1 to the vote of the House.

Amendment No. 1 was put and negatived.

(Interruptions)

MR. DEPUTY-SPEAKER: In these matters the man occupying the Chair has to go by commonsense.

SHRI SOMNATH CHATTERJEE: You are assuming that there is some sense on that side.

MR. DEPUTY-SPEAKER: There are two things in this. One is my ears that go by the level of decibels. The other is the grey matter up here. In this case I prefer to use my grey matter instead of my ears. Now, the question is:

“That clause 1 stand part of the Bill.”

The motion was adopted.

Clause 1 was added to the Bill.

Enacting Formula

Amendment made

Page 1, line 1,—

for “Twenty-sixth Years” substitute—

“Twenty-seventh Year”. (3)

(Shri Raghunatha Reddy)

MR. DEPUTY-SPEAKER: The question is:

“That the Enacting Formula, as amended, stand part of the Bill.”

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI RAGHUNATHA REDDY: Sir, I beg to move:

“That the Bill, as amended, be passed.”

MR. DEPUTY-SPEAKER: The question is:

“That the Bill, as amended, be passed.”

The motion was adopted.

MR. DEPUTY-SPEAKER: Now, we take up clause by clause consideration of the Beedi Workers Welfare Fund Bill. To clauses 2 and 3 there are no amendments. The question is:

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 4 (Application of Fund)

SHRI B. V. NAIK (Karnataka) : beg to move:

Page 2,—

after line 35, insert—

"(vi) the provision for group insurance on a collective basis of those persons engaged in beedi establishments where ten or more persons work under the same roof, place of business, workshop, or any other form of establishment defined under the definition section 2(b). (4)

Hon'ble Deputy Speaker, Sir, the amendment which I have suggested is the same as in the Bill under "Application of Fund", I need not repeat the same here. There should be an additional provision in respect of collective insurance of the worker. Why I have made this suggestion is because this is a sort of a decentralised industry. In case you put the people to work under one roof, that is, before you bring in your social or welfare measures, if you are in a position to bring in the organisation of these workers, then there is a possibility that the problem which has been pointed out by Mr. Gopalan regarding preparing of a register and also all the other problems can be solved. You will know the dimension of the problem and you will be able to find a solution for it. In this behalf, a point was also made by Mr. Chandrappan, that is, regarding the co-operatives. There could be no better industry in this country than beedi manufacturing which is essential

ly a cottage industry. But the moralistic approach of our Khadi & Village Industries Commission is different. The Khadi and Village Industries Board for the last 25 years are opposing manufacture of beedi on co-operative lines because smoking of beedi is bad. Well, it is all right, if concerns the matters of health and hygiene of a person. But these people are being exploited on this ground and the middle-men, manufacturers and the owners of these establishments are squeezing these workers. Therefore, it is not going to cost so much. It will be a pittance out of Rs. 1.82 crores which you are going to collect. Therefore, wherever more than 10 people come under one roof, you do have collective insurance scheme. At the time the beedi worker dies or when he dies prematurely because of unhygienic conditions in which he works, his family would get a few thousand rupees. This is all what I wanted to speak, I think it can be accepted. But I am not pressing for it.

SHRI RAGHUNATHA REDDY: It is a good suggestion. But the position is that it does not fall within the purview of the provisions of this Bill.

MR. DEPUTY-SPEAKER: I will now put the amendment of Mr. Naik to the House.

Amendment No. 4 was put and negatived.

MR. DEPUTY SPEAKER: The question is:

"That clause 4 stand part of the Bill"

The motion was adopted

Clause 4 was added to the Bill.

Clause 4A (New):

SHRI A. K. GOPALAN: I beg to move:

Page 3, —

after line 20, insert—

"4A. The Executive Authority of every local authority shall prepare a register of Beedi and Cigar workers residing

within the jurisdiction of that local Authority.

- (a) The register shall contain such particulars as may be prescribed.
- (b) The register shall be maintained by the Executive Authority in such manner as may be prescribed." (2)

I am moving this because if this Bill is meant for the benefit of the workers, you must know how many workers are there and where they are. The bidi workers are organised as well as unorganised. There are workers working in their houses taking leave etc. Therefore, there must be a register. Otherwise this Bill will benefit only those workers who, as the minister said, agitate and the poor workers will not be benefited. This is an important amendment and I hope the minister will accept it.

SHRI RAGHUNATHA REDDY: The suggestion made by the hon. member is quite sound and I am not disputing its merit. I invite your attention to clause 11 which says:

"The Central Government may require a State Government or a local authority or an employer to furnish, for the purposes of this Act, such statistical and other information in such form and within such period as may be prescribed."

Under clause 12, the Central Government has been given the power to make rules to carry out the provisions of the Act. I can assure him that under these two provisions, I will incorporate the suggestion made by him in the form of a rule. No amendment is necessary.

SHRI A. K. GOPALAN: In view of the minister's assurance, I withdraw my amendment.

MR. DEPUTY-SPEAKER: Does he have the leave of the House to withdraw his amendment?

HON. MEMBERS: Yes.

Amendment No. 2 was, by leave, withdrawn.

MR. DEPUTY-SPEAKER: The question is:

"That clauses 5 to 12 stand part of the Bill."

The motion was adopted.

Clauses 5 to 12 were added to the Bill.

Clause 1—(Short title, extent and Commencement)

MR. DEPUTY-SPEAKER: Is Mr. Gopalan moving his amendment? No.

The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Enacting Formula

Amendment made:

Page 1, line 1,—

for "Twenty-sixth Year" substitute—"Twenty-seventh Year" (3)

(Shri Raghunatha Reddy)

MR. DEPUTY-SPEAKER: The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill. The Title was added to the Bill.

SHRI RAGHUNATHA REDDY: I beg to move:

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill, as amended, be passed."

Mr. Bhaura, in the third reading either you support it or oppose it. You cannot just make a general speech. That is the rule.

श्री भानु सिंह शौरा (भटिंडा) डिप्टी स्पीकर साहब, यह जो बिलफोर पंड क्रीएट किया है यह अच्छी बात है। जो तजवीज माननीय गोपालन की आयी थी उसके बारे में मंत्री जी ने कहा है कि हल में इसको डालेंगे। यह अच्छी बात है जो मान ली है।

मैं समझता हूँ कि बीड़ी वर्कर्स के लिए जो फंड क्रीएट किया जा रहा है, वह अच्छी बात है लेकिन बीड़ी बनने से पहले भी कुछ लोग काम करते हैं और वे केंद्र का जो पत्ता होता है उसको जगलों से लाते हैं, उसको भी आप इस बीड़ी वर्कर की कैटेगरी में शामिल करेंगे या नहीं? उड़ीसा में आप जानते हैं कि इसका एक बड़ा स्कैंडल हुआ था और उसमें उड़ीसा के किनारे ही चीफ मिनिस्टर थे। जो लोग केंद्र का पत्ता लाते हैं, वे इस कैटेगरी में आएंगे या नहीं, इससे बारे में शुबहा है। उनको बीड़ी वर्कर में आप गिनने या नहीं। कांटेक्टर्स उनको इंगेज करते हैं और वे एग्जीक्यूटिव लेवर है। यह एक बेमिक सवाल है कि आप उन लोगों को बीड़ी वर्कर में इन्क्लूड करते हैं या नहीं करते हैं। इसके बारे में मंत्री जी बताएं। मेरा सुझाव यह है कि उनको इसमें इन्क्लूड करना चाहिए।

SHRI RAGHUNATHA REDDY: I hope the mention of kendu leaves may generate some ideas.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

15.27 hrs.

CONTEMPT OF COURTS (AMENDMENT) BILL

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): Sir, I beg to move:

"That the Bill to amend the Contempt of Courts Act, 1971, as passed by Rajya Sabha, be taken into consideration."

Hon. Members will recall that the Contempt of Courts Act, 1971 was passed with a view to define and limit the powers of certain courts in punishing contempts of courts and regulating their procedure in relation thereto. Section 14 of the Act lays down the procedure of dealing with such cases where contempt is in the face of the Supreme or a High Court. Sub-section (1) of Section 15 of the Act provides that in case of a criminal contempt (other than a contempt referred to in Section 14) the Supreme Court or the High Court may take action on its motion or on a motion made by (a) the Advocate General or (b) any other person with the consent in writing of the Advocate General. The section explains the meanings of the expression "Advocate General" to mean (a) in relation to the Supreme Court the Attorney General or the Solicitor General, (b) in relation to the High Court the Advocate General of the State or any of the States for which the High Court has been established and (c) in relation to the Court of a Judicial Commissioner such Law Officer as the Central Government may, by notification in the official gazette specify in this behalf.

Union Territory of Delhi is unique in that it has its own High Court. There is, however, no Advocate General in relation to that High Court. In the

case of any criminal contempt of a subordinate court in a Union Territory sub-section (2) of Section 15 enables any Law Officer specified by the Central Government to make a motion to the High Court for taking necessary action. But there is no such corresponding provision in the case of any criminal contempt of the High Court in a Union Territory. The High Court has, therefore, to keep a watch and take action on its motion in all such cases.

To avoid these practical difficulties it is necessary to amend sub-section (1) of Section 15 of the Act so as to enable the High Court of Delhi to take action on criminal contempt as referred to in that sub-section on a motion made by such Law Officer as may be notified by the Central Government or by any other person with the consent of the Law Officer.

The Bill seeks to achieve these objects.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to amend the Contempt of Courts Act, 1971, as passed by Rajya Sabha, be taken into consideration."

15.30 hrs.

CONSTITUTION (AMENDMENT) BILL

(Amendment of Part III)

By Shri Bhogendra Jha

MR. DEPUTY-SPEAKER: The hon. Member, Shri Yamuna Prasad Mandal is absent. The House will now take up further consideration of the following motion moved by Shri Bhogendra Jha on the 12th March, 1976:

"That the Bill further to amend the Constitution of India, be taken into consideration."

On the last occasion, Mr. Prasannabhai Mehta was on his legs. He is not here. I do not know if anybody else wants to speak on this.

SHRI JAGANNATH RAO (Chattrapur): I had indicated my intention to speak on this, Sir.

MR. DEPUTY-SPEAKER: Mr. Jagannath Rao.

SHRI JAGANNATH RAO: Mr. Deputy-Speaker, Sir, While I rise to support the principle and the objects and reasons for moving this bill, I would rather say that I am not in favour of amending the Constitution piece-meal. A time has come when the whole country is seized of this question. And the Constitution shall have to be amended, not only in regard to Part III of it, as suggested by the hon. mover, but in regard to certain other Articles also, in order to bring about an early transformation of the society as a socialist one. Therefore, I agree that the time has come to have a second look at the constitution—because the Constitution has to be a living instrument for bringing about a social change and, therefore, it cannot be a static document. To that extent I quite agree with the hon. mover of the bill. But he wants Article 15 to be amended to include the word 'economically'. By inserting the word 'economically', he wants to say that no person shall be discriminated on grounds of economic considerations. I think there will be difficulty. The word 'socially' also includes "economically". Where a person is economically backward, he is not forward socially. Therefore, the word 'socially' is comprehensive enough to include economic backwardness also. On the other hand, if we accept the amendment to insert the word 'economically', it may mean a person, belonging to a higher caste who may be economically backward would also have the advantage. The Constitution says that we have to bring forward legislation to see that no one who is socially backward is excluded. Therefore, inserting the word 'economically'

may have an untoward effect, not desired by the hon. mover. Therefore, this amendment is not called for.

15.31 hrs.

[SHRI BHAGWAT JHA ARAD in the Chair]

Then in Article 16, the hon. mover wants the insertion of the words, 'political views'. His point is that no person shall be discriminated against on the basis of his political views. What is a political view? It has not been defined. The hon. mover's political views might differ from mine, or from that of anybody else belonging to a different party. But the hon. mover's idea here is so very vague and uncertain that it is very difficult to give effect to it. By inserting the words 'political views' perhaps we are creating some more difficulties. Hitherto, the words 'political views' are not in the picture. By inserting these words we might perhaps draw the attention of the Government to take political views also into consideration in regard to a particular matter. I don't agree.

Now about Article 19 of the Constitution; and the bill seeks the omission of clauses (2), (3) and (4) of it. Here, I don't agree with him. The Fundamental Rights under Article 19 are subject to reasonable restrictions even in times of peace. Therefore, there cannot be an unbridled right. Every right implies an obligation on the person on whom it inheres. Therefore, these clauses viz. (2), (3) and (4).... (Interruptions).

SHRI BHOGENDRA JHA (Jainagar)
The amendments to those clauses have already been circulated. They stand omitted. In their place, there is an amendment to Article 19(1)(f). (Interruptions).

SHRI JAGANNATH RAO: As far as omission of 19(1)(f) is concerned, I am in full agreement with the hon. mover. I am only in favour of the omission of 19(1)(f). Clause (1), (f) relates to the right of a citizen to

acquire, hold and dispose of property. That right need not be a Fundamental Right. We were under the Government of India Acts of 1919 and of 1935 Citizens would acquire property, hold property and dispose of property. There was then no fundamental right either to property or to any freedom. But still people do have the right to acquire, hold and dispose of property. By deleting this right under clause (f), no citizen would be at a disadvantage. It is not necessary to give it a sacred status, and I think it is high time we delete clause (f) from the list of Fundamental Rights under article 19. Because, article 31(1) says that no person shall be deprived of his right to property, save by authority of law. That still stands. Then, we have introduced article 31C by the Constitution (25th Amendment) Act, which authorises the State to implement article 39(b) and (c). Therefore, the only restriction that stands is that the State can acquire a property only for a public purpose, following the principles laid down in article 39(b) and (c). That right is still there. We are not for the abolition of property altogether. But we want to put a ceiling on agricultural land, we want to put a ceiling on ownership of urban property, so that there is no concentration of wealth or economic power in the hands of a few. We want to build a new society, which is egalitarian in character and which prevents a few persons from acquiring, holding and disposing of property to the disadvantage of the vast majority. Therefore, I am in full agreement with the hon. mover regarding the abolition of clause (f) of article 19.

He has also referred to article 22. He wants the substitution of clause (b) Cases relating to Articles 21 and 22 are pending before the Supreme Court. The matter has been argued at length. There were arguments on both sides and now the judgment is awaited. Let us wait for the judgment of the Supreme Court. Then we can certainly consider whether during the Presidential Order under article 359.

the operation of articles 21 and 22 and the rights flowing from them subsist, that is to say, whether they are natural rights in spite of the order of the President under article 359

Therefore, while I appreciate the spirit of the hon Member in bringing forward this Bill, we should not now think of a piecemeal amendment of the Constitution. The whole country is seized of it and already there is a second look at the Constitution. The Constitution has to be amended in such a way that the socialistic principles and the objectives before the party in power and the people are given effect to. So, while supporting the Bill in principle, I would request the hon Member to withdraw the Bill.

श्री जगन्नाथ मिश्र (मधुबनी) सविधान में सशोधन करने की गूज सबंठ सुनाई पड़ती है। इस सदन में भी और बाहर भी वह सुन पड़ रही है। इटैलिजेशिया क्लास जो है तदा विधि वेत्ता जो है उन्होंने भी इस पर गम्भीरता से विचार करना शुरू कर दिया है। इस पृष्ठभूमि में श्री भोगेन्द्र झा इस विधेयक को लाए हैं। मैं उनकी जो मशा है उस पर सदेह नहीं कर सकता। लेकिन इस विधेयक में उन्होंने कुछ ऐसी बातें बही हैं जिन पर मुझे आपत्ति है। उनकी ओर हमें आपत्ति ध्यान आकर्षित करना चाहता हूँ।

अने नियन्त्रिताया के सदर्थ में हमने ऐसा महसूस किया है कि जिस समय संविधान बना उस समय में और आज के समय में बहुत बड़ा प्रन्तर है। उस समय के सदर्थ में जैसा संविधान बना चाहिये था ठीक बना। सही था। लेकिन बहुत ऐसे प्रश्न भी थे जिन पर उस समय में भी मतभेद था। इस प्रश्न को ही मैं लू. राइट ट्रापटी के प्रश्न को ही लू तो उस पर भी उस समय मतभेद हुआ था। दूसरा प्रश्न यह था कि सुप्रीममी किसे की हो, पार्लियामेंट की हो या सप्रीम कोर्ट की हो।

चूंकि उस समय ऐसे दिग्गज नेता थे, उन लोगों ने जोर दिया और यह नियम बनवा लिया कि कानून पास करे पार्लियामेंट, और यह कानून कहा तक जायज है या नाजायज है इसका निर्णय सुप्रीम कोर्ट दे। यह अजीब बात है। इसके रहते हम गणतान्त्रिक ढंग से अपने बहुत सारे काम नहीं कर पाये हैं और हमें दिक्कत का सामना करना पड़ा है, जो कि हम पिछले दिनों देख चके हैं। इसलिये हमारी पार्टी ने भी इस पर गम्भीरता से विचार करना प्रारम्भ कर दिया है। विचार करने वालों बड़े-बड़े लायर्स हैं, एडवोकेट्स हैं और कास्टीट्यूशन के विशेषज्ञ हैं। मुझे विश्वास है कि वे सब सारे सविधान पर गम्भीरता से विचार करेंगे और अपनी रिपोर्ट पेश करेंगे। हो सकता है कि स्वीकृत होने पर वह रिपोर्ट सदन के विचारार्थ भी पेश हो। ऐसी मैं आशा करता हूँ।

श्री भोगेन्द्र झा ने आर्टिकल 16 में कहा है कि एम्प्लायमेंट देने में रिलीजन, रैस, कास्ट, सैक्स, बर्थ आदि पर ध्यान दिया जाये, लेकिन खुद उन्होंने "पोलिटिकल-व्यू" का एक सुझाव दिया है। "पोलिटिकल-व्यू" एक बड़ा विवादास्पद शब्द है। संविधान में इसकी गुंजाइश है, यह बात मेरे गाने नहीं उतरती है क्योंकि "पोलिटिकल-व्यू" स्थिर नहीं है और यह बदलता रहता है। हमने देखा है कि बहुत सी राजनीतिक पार्टियाँ हैं, भले ही वह राजनीतिक पार्टियाँ न हों, लेकिन वह अपने को राजनीतिक पार्टी कहती हैं। इससे हमारे संविधान को आर. हमारे कार्यकलाप का बहुत धक्का पहुँचा है, तो इसका रख कर हम एम्प्लायमेंट की गुंजाइश करें, मैं इसका समर्थन नहीं करूँगा।

माननीय सदस्य ने उहा है कि आर्टिकल 19 पार्टियों और व्यक्तियों का स्वतन्त्रता पर प्रतिबन्ध लगाता है। स्वतन्त्रता का भावने उड़ता कभी नहीं होना चाहिये और न होता है। स्वतन्त्रता शब्द स्वयं में गम्भीर है और वह

[श्री जगन्नाथ मिश्र]

अपने साथ जिम्मेदारी लाता है। जब हम स्वतंत्र हो जाते हैं, तो हमें सोचना पड़ता है कि हमें कैसे रहना चाहिये, कैसे काम करना चाहिये और किस जिम्मेदारी से अपने कर्तव्य का निर्वाह करना चाहिये। संविधान में जो शब्द है, वह मैं आपको बताता हूँ। इससे स्पष्ट हो जाता है कि इसमें कहीं भेदभाव नहीं है।

Liberty has to be limited in order to be effectively possessed. The question, therefore, arises in each case of adjusting the conflicting interests of the individual and of society.

माननीय सदस्य श्री झा ने राइट आफ प्रापर्टी की बात भी बिल में उठाई है। यह एक अहम सवाल है। राइट आफ प्रापर्टी अगर हम चाहते हैं, तो फिर उसकी ओनरशिप हम किस को देते हैं, यह बात मेरी समझ में नहीं आती है। ओनरशिप व्यक्ति की होगी, समाज की होगी, स्टेट की होगी या किंग की होगी, इस पर उन्होंने कुछ नहीं कहा है यह बात विधेयक में अधिकांश में ही रहती है।

इस विषय पर मैं अपने व्यक्तिगत विचार प्रकट करते हुए यह कहना चाहता हूँ कि जहाँ तक इंटेशन का सवाल है, वहाँ हममें और माननीय सदस्य में कोई फर्क नहीं है। हम भी अपने रास्ते पर हैं, हमते भी सोशलिज्म का एलान किया है, हमने भी समाज में बराबरी स्थापित करने का विचार प्रकट किया है और हम अपने ढंग से आगे बढ़ रहे हैं। जहाँ थे, उससे पीछे नहीं हटे हैं। इस दृष्टिकोण से हम देखते हैं कि जो धनी है, उन पर इन्कम टैक्स लगाया गया है, वैल्यू टैक्स लगाया है। फिलहाल फर्ज की बात हुई है, सीलिंग की बात हुई है, लैंड होल्डिंग्स की बात हुई है, लैंडलैस को लैंड देने की बात हुई है। इन सारी चीजों को देखते हुए श्री झा जी को विश्वास होना चाहिये कि हम वही कर रहे हैं, जो वह करना चाहते हैं। लेकिन इसमें प्रश्न समय का है। हम उस को एक दिन में नहीं कर सकते हैं। हम अपने ढंग से अपने रास्ते

पर जा रहे हैं और हमें आशा है कि हमें इसमें सफलता मिलेगी।

मैंने विपक्ष के कुछ सदस्यों के भाषण सुने हैं और मुझे यह देख कर हैरानी हुई कि एक तरफ उनका विश्वास है कि देश में अनुशासन नहीं है और दूसरी तरफ उनका कहना है कि प्रेस पर नियंत्रण लगा दिया गया है। ये दोनों बातें कन्ट्राडिक्टरी हैं। अगर हम मान लें कि देश में अनुशासन नहीं है, तो यह सोचने की बात है कि क्यों नहीं है।

इस अवसर पर मैं याद दिलाऊंगा कि कुछ समय पहले गुजरात में कैदी घटनाएँ घटी थी और बिहार में क्या हुआ था। प्रश्न यह है कि वे काम करने वाले कौन लोग थे, उनको रुपया-पैसा कहाँ से आता था, कौन किमकी मदद करता था और उन्हा मंशा क्या था। यह कहने की आवश्यकता नहीं है कि इन सब बातों के पीछे एक ही मकसद था कि श्रीमती इंदिरा गांधी को कमजोर किया जाये और देश में डेमोक्रेसी को हटा कर फैमिज्म की स्थापना की जाये।

इसके लिए वे लोग विदेशों से पया पाने थे और प्रेस इसमें बड़ावा देता था।

अगर इन बातों को रोकने के लिए हमने प्रेस पर नियंत्रण किया, और देखा कि इस का फल भी अच्छा हुआ है, तो फिर इस विषय में किसी तरह की शका करने की आवश्यकता प्रतीत नहीं होती है। इसी कारण सरकार को इमर्जेंसी लागू करनी पड़ी। अगर वह ऐसा न करती, तो उस पर यह दोषारोपण होता कि यह सरकार डीली है, वह कड़ाई से काम नहीं लेती है, ठीक तरह से शासन चलाता नहीं जानती है, लेकिन जब सरकार के आलोचकों को इमर्जेंसी का प्रतिफल देखने को मिला, तो उनको लगा कि कांग्रेस सरकार ने बाजी मार ली है। उनको इस बात की खुशी नहीं है कि इमर्जेंसी से देश का विकास हुआ है, उत्पादन बढ़ा है और काम में गति आई है,

बल्कि उनको इस बात की मारजगी और दुःख है कि कांग्रेस सरकार ने इस तरह की बाजी मार ली है।

हमारे देश की डेमोक्रेसी अपने ढंग की है। दुनिया बहुत बड़ी है। उसी तरह हमारा देश भी बहुत बड़ा है। दुनिया में जो समस्याएँ हैं, वे हमारे यहाँ भी हैं। लेकिन उन समस्याओं का समाधान हम अपने ही ढंग में कर सकते हैं, किसी के पीछे चल कर, किसी की नकल कर या किसी के उकसाने और भड़काने में नहीं कर सकते हैं। हमारे प्रधान मंत्री ने बार-बार स्पष्ट कह दिया है कि हमारा गणतंत्र अपने ढंग का है और उनका अपना स्वरूप है। उनको हमे अपने ढंग से ले जाना है। उनमें हम किसी के बहकावे या कहने से ऐसा नहीं कर सकते हैं। तो उनका कहना जायज है। उन्होंने केवल कहा ही नहीं है बल्कि एमर्जेन्सी लगा कर और देश में अनुशासन स्थापित कर देना वान को साबित भी कर दिया है कि वह देश का शासन करने में पूर्ण सक्षम है और देश को उन्होंने दिशा दी है।

जहाँ तक संविधान में मसौदा की बात है मैं इनमें झा जी को आश्चर्य नहीं देता हूँ कि सरकार इनका नजरबन्दगी नहीं किए है, यह चीज उनका ध्यान में है और वह हमारे विचारों पर गंभीरता से सोचने को तैयार है, संच भी रही है। अगर ऐसी बात है तो मेरा मतलब है कि यह विधेयक कुछ समय से पहले आ गया है। अभी इसकी आवश्यकता नहीं थी। इसलिए मैं भी उनसे आग्रह करूँगा कि वह इनको वापस ले लें।

SHRI B. V. NAIK (Kanara): Mr. Chairman, Sir, I had submitted an amendment. But it suffers from my own mistake. What I had meant to suggest was this. Shri Bhogendra Jha has suggested an amendment to article 15, that the State shall not discriminate against any citizen on grounds of religion, race, caste, sex, place of birth or any of them, to which he has added "political views" even

before "religion". I wanted to rectify my amendment. But I was told that it was a bit too late and time-barred. So, I have been advised to move it when the clause-by-clause consideration of the Bill were to come up. My amendment to my own amendment which I had submitted is, substitute the words "constitutionally legitimate political views". I agree there. But not all political views because we will be treading on very dangerous grounds. Therefore I say, "constitutionally legitimate political views" will be perfectly all right.

I shall adduce certain reasons for that. There is a political cult called Anand Marg. There are the views of Mr. Sarkar. The fact that he is a sex deviate is the least part of his personality. But the means which he uses to proclaim himself as the Lord of the Universe, indulging in all that, cannot be accepted. Sir, you come from that State and you are more aware of it than me. Are these absolutely perverted political views to be accepted by us? Should there be no discrimination against such people?

Secondly, the Naxalites in this country believe in the physical liquidation of class enemies—complete annihilation. Do we accept those political views?

SHRI BHOGENDRA JHA: I say, acts; no question of views.

SHRI B. V. NAIK: The motive of every action is an idea. If you have a particular view and act otherwise, it is plain hypocrisy. If you say, I believe in violence but I practice non-violence; I believe in non-violence, but I practice violence; I believe in honesty but I practice dishonesty, well, it ceases to be a view. We take no cognizance of hypocrites at all because they do not have the normal courage; they say one thing and do another thing. Their actions are absolutely unconnected with both the things. So, I do not consider it a view at all.

[Shri B. V. Naik]
if the hon. Member means exactly what he says.

I was moved yesterday by our very senior learned Member when I heard him. We had a discussion regarding property rights. That Resolution is being discussed. The topic may not be touched because we have dealt with it time and again. According to some of us, including a legal luminary like Mr. Frank Anthony, our colleague here, the property rights have ceased to exist. Such a person with conformist views—we can call him not liberal even—a sort of conservatist—again, I will not call him a diehard conservatist—said, “If property rights are a sort of itching tooth for you, you just pull it out and throw it away after passing the Constitution Twentyfifth Amendment” So, that is redundant.

Yesterday Prof. Mukerjee, in the course of discussion on another Bill regarding the establishment of the Comptroller and Auditor General, said that there was no greater power on earth than revolution. It is true that revolution has changed the face of countries; at least more than one-third of the total world population has been affected, has been shaken up, institutions have gone down and new institutions have been created. But in our Constitution, I think, there is ample scope for modernisation, not only improvisation but modernisation. Revolution became the dogma of the Marxist thinkers. I am deliberately treading upon an area with which I am not very familiar. Marx lived in an age when Sigmund Freud was not born, when the psychological sciences had not developed; Marx lived in an age when the theory of relativity had not been propounded and Einstein was not born; Marx lived in an age which, by no means of imagination, can be called a technological age. Today we have science, we have technology, we

have the exploration of space, the outer space and the inner space....

MR. CHAIRMAN: Just a minute. The time allotted for this Bill expires at 4 O’Clock. The Minister has yet to speak. Mr. Bhogendra Jha has to reply. So, the time has to be extended.

SHRI VIKRAM MAHAJAN (Kangra): The time may be extended by half-an-hour.

MR. CHAIRMAN: There are no more names in the list. . .

SHRI BHOGENDRA JHA: It can be extended up to 5.30. The next Bill can be moved and it can be continued on the next occasion. There are some Members who want to speak.

MR. CHAIRMAN: The names so far given have been called. After Mr. Naik, I will call the Minister and then Mr. Jha will reply.

SHRI DINESH CHANDRA GO-SWAMI (Gauhati): We also want to give our names for speaking on this.

SHRI VIKRAM MAHAJAN: It can be extended by one hour.

MR. CHAIRMAN: The proposal is that the time may be extended by one hour. I take it that the House agrees to that.

SEVERAL HON. MEMBERS: Yes

MR. CHAIRMAN: The time is extended by one hour. Mr. Naik may continue his speech.

SHRI B. V. NAIK: As I was saying, there has been a definite change in the human consciousness as well as the content of his knowledge. What was relevant in the period of Karl Marx is no longer valid. The greatest weakness seems to be that the believers today in a social structure on Marxist

lines would like Marx to be relevant not only for his time but for all time to come. (Interruptions) As I said, I am not on a familiar ground. But I have read the magnum opus of Marx, Das Capital.

As I was saying, Prof. Mukerjee talked about the power of revolution. Where has this taken us in this thermo-nuclear holocaust possibility? Mao today says that the ultimate in the revolutionary step will be a world thermo-nuclear holocaust, so that, even if millions die, there will still be somebody left in order to build up a new social order. That is the logical absurdity to which the Marxist, Leninist, Maoist view has sunk. (Interruptions) That is why, I am talking about the relevance of the present advances in science, particularly the physical sciences which make this theory of the ultimate power of revolution as absurd. Therefore, I say that by constitutional by legitimate methods, by a brute majority of two-thirds here, if you scrap the Constitution and ask for a new Constituent Assembly, fair enough, but do that. But I do not think, there is any place for irresponsible, illegitimate, political views with evil consequences for the individual. After Marxism, we have come into humanism, where the individualism is most important. I would, therefore, suggest that the hon. Member may kindly accept the constitutionally legitimate views, as I have stated.

SHRI DINESH CHANDRA GO-SWAMI (Gauhati): Mr. Chairman, Sir, all round the country today a debate is going on as to whether our Constitution needs to be changed for furtherance of the ideals that we have set before us. I think, the consensus has been that those provisions of the Constitution which are standing in the way of social and economic progress of our country should be amended. There cannot be any two opinions re-

garding it and the fact remains that some of the provisions of the Constitution need a fresh look for various reasons and I count three reasons.

The first reason is that when the Constitution was framed, obviously many things had to be compromised and one can say that this Constitution was to a certain extent a compromised document. It was a compromised document because at the time when the Constitution was framed, the leaders of our country on whose shoulders the destiny of this country rested were faced with many difficulties and alternative propositions. That was the time when this country was suffering from a communal holocaust, the type of which the world has never seen, and I hope, the world may never see. That was a time when in the Constituent Assembly itself, there were all the forces of right and left; rich people were there, poor people were there and the prime task of the leaders of the country then was to consolidate the newly gained independence. At that time, it was not possible for the farmers of the Constitution to fight on a new front, to launch an attack against the rich people, because an attack at that moment against the rich section of the community might have led to danger the newly acquired independence itself. Secondly, at that time, it was not possible for the framers of the Constitution also to envisage the various types of difficulties that the country will come across with the passage of time and that is why, with the passage of time, change became imperative. Again, we have found that though the framers of the Constitution framed the Constitution with particular intentions in view, there have been decisions of the courts which, to a certain extent, have deviated from the intentions of the legislators. That is why, for all these reasons, a fresh look has become necessary to the Constitution itself.

[Shri Dinesh Chandra Goswami]

I feel, that at this time, a fresh look is necessary, but we should not go for *ad hoc* amendments; the type of which Shri Bhogendra Jha has proposed in this Bill. This is a time when *ad hoc* constitutional amendments have certain dangerous implications and the best thing would be for all of us to look to the entire provisions of the Constitution and come forward with a comprehensive Constitution Amendment Bill.

If Shri Bhogendra Jha looks to his own Bill and the Objects and Reasons, he will find that between the proposals that he has placed before the House and the Statement of Objects and Reasons, there is definitely some contradiction. In his Statement of Objects and Reasons, he has said:

"Part III of the Constitution of India deals with the Fundamental Rights which constitute the main democratic contents of our Republic."

In fact, I feel, and I want to join issues with him that the main democratic content of our Republic is not in the Fundamental Rights. It is in the chapter of the Directive Principles and the preamble of this Constitution and if there is any quarrel this House will have to decide very seriously whether in the Constitution itself...

SHRI BHOGENDR JHA: I have got a Bill on Chapter IV.

SHRI DINESH CHANDRA GO-SWAMI: Correct.

What I am saying is that to-day the time has come for us also to see if we really feel that the main democratic content of our Republic lies in the Fundamental rights or in the Directive Principles and if we come to the conclusion that it lies in the Directive Principles, well we must get rid of one of the hurdles which has come before us because of some decision of the court and see that in case

of conflict between the Fundamental Rights and Directive Principles the Constitution is amended to state in very clear and categorical terms that the Directive Principles must prevail over the Fundamental Rights, keeping in view the rights of the minorities and such other rights as enumerated in the Chapter on Fundamental Rights.

SHRI SOMNATH CHATTERJEE (Burdwan): How do you make it enforceable?

SHRI DINESH CHANDRA GO-SWAMI: It may not be possible to enforce. Let us not do something theoretical. We must look to the resources of the country. The problem must be kept in the forefront. Therefore, I feel that even the Bill, in an *ad hoc* manner in which Shri Bhogendra Jha has brought it, suffers from drawbacks and this is one of the reasons why I am saying that it will be in his best interest to withdraw it and to what for some time when we can have a fruitful discussion, in the totality of the amendment that we may ask for. He has asked for an amendment to Article 16, that there should not be any discrimination on the ground of political views. I feel Article 16(1) gives equal opportunity to all and when we have accepted democracy as a touchstone of our political life, political views cannot be a discriminating factor in matters of employment. But even there, Shri Bhogendra Jha wants that political views should not be a factor. We shall have to look afresh. After all, political views are something which we can...

SHRI JAGANNATH RAO: You are not prevented.

SHRI DINESH CHANDRA GO-SWAMI: It cannot be discriminatory. If it is discriminated on the political views, the right exists for him to assert his right under Article 16(1). The words 'political views' which my learned friend has tried to introduce

In Article 18 are redundant because if a person is discriminated on the basis of political views, he can challenge it on the ground that Article 18 has been violated. Therefore, it is not necessary. 'Political views' is something which it is difficult to define and in fact somebody who preaches the policy of session, he may say, "I have this political view." Suppose this Parliament brings a law that a man who preaches session should be discriminated. If you include political views, obviously he will challenge this under Article 18, because by this amendment he has brought a provision with the words 'by political views' which cannot be a ground for discrimination.

If the intention of my friend is that a man in a democratic country, who has a particular political view which may not be in line with the views of the ruling party, should not be discriminated, I may not have any objection, but the amendment which he has sought for is not going to protect his interest. It takes away the right of the Parliament to make certain laws in case of certain contingencies. The Parliament in near future may have to consider whether it is safe to keep or employ in public service people who have no faith in the Constitution of our country or its integrity.

He goes even one step further—Article 19(1)—regarding property should be deleted from the Chapter of Fundamental Rights. Frankly speaking, our party not only now but even before independence has taken this view that we do not give any undue importance to the Right to Property. In fact going through the debates of the Constituent Assembly also, you will find that there was a lot of serious debate on it. As I said, at that time certain compromise had to be made. It is also true to-day that

the Right to Property under Article 19, to a substantial extent, has been diluted by the Twenty-Fifth amendment. I do not think that Right to Property should find a place in the Chapter of Fundamental Rights. Merely taking it away will not improve the situation and we should consider this also as to how deletion of Article 19 will affect the psychology of the ordinary man, a small peasant owning a tiny piece of land for his livelihood. A distinction should be made between two things. Property is a means of livelihood and property is a means of exploitation. If it is found that property is used as a means of exploitation naturally the State must put all restrictions on that. But so far as this question of property as a means of livelihood is concerned we shall have to be careful more so in view of the fact that we have not been able to provide all the social security measures which some of the totalitarian countries have been able to give. The ordinary man often has to fall back upon his small property in order to carry on his daily life or to have some sort of security in life. No malicious impression should be created by anybody that we stand for property. We do not stand for that. Also, to a certain extent, as I have already referred to, this right to property somehow has lost its relevance. Merely saying that we must do away with Article 19 or Article 31 will not help us. We must make adequate provision to give some sort of safeguard to the ordinary man, to the common man. His ordinary means of livelihood should not be taken away by any sort of executive abuses. Any omnibus provision to do away with Article 19 does not help anybody at all. Though on principle I stand by it, yet, I do feel that this amendment particularly in the form in which it has been brought here will lead to extreme cases of executive abuses against those sections of the community who do not have the awareness or the assertive-

[Shri Dinesh Chandra Goswami]
ness to protect their own rights.

Lastly, he wants to have amendment of Article 22. As I have already said, some sort of distinction has to be made, and in this respect, I beg to differ him. If our experience of the past be any guide, we feel, some sort of protection is necessary in the interest of the integrity of our country.

Therefore, Sir, I am sorry, I cannot agree with the amendment which my hon. Friend Shri Bhogendra Jha has brought before the House. In the fitness of things, instead of quarrelling over this issue, especially when due to drafting we may have some difference of opinion although on principle we may hold the same view,—what we could do is, to consider very seriously about all the comprehensive amendments which are needed in the Constitution itself about which now debates are going on in various forums in the country. The hon. Law Minister is not here; the hon. Home Minister is here; I would request him to take such steps as are necessary in the near future to bring in such amendments as are necessary for bringing about our goal of socialist society. And therefore, from that view of the matter, I object to this Bill. I earnestly appeal to my learned friend, Shri Bhogendra Jha, to be kind enough to withdraw the Bill in the larger interests of the country.

श्री भान सिंह भौरा (भटिडा) :
चैयरमैन नायब, यह ऐसा बिल है, जिसकी आवश्यकता गारे हिन्दुस्तान में वर्चा है और जिन्होंने भी इसको प्रपोज किया है, मैं समझता हूँ कि उन्होंने भा यकी कता है कि हम इसको चाहते हैं। लेकिन उन्होंने इसका और बट्स लगाये हैं जिसकी कि हमें आदन पडी हुई है। उनको लगाने के लिए वे मजबूर हैं और इसी मजबूरी की वजह से उन्होंने यह किया है।

भाज बेसिक सवाल गारे हिन्दुस्तान के सामने है। हमारे कांस्टीट्यूशन में फण्डामेंटल राइट्स में प्रोपर्टी राइट भी है, यह ठीक है। लेकिन कौन-सी बात भा गयी कि जिसकी वजह से भाज सारा हिन्दुस्तान इसके बारे में सोच रहा है कि यह प्रोपर्टी राइट रहना चाहिए या नहीं रहना चाहिए? आपके कांस्टीट्यूशन के नीचे यह हो रहा है कि बिरला और टाटा कायदा उठाये गारहे हैं? हैं? यह प्रोपर्टी राइट किन लोगों का मामला गिनता के कुछ लोगों का मामला है। जो लेण्डलेस लोग गांवों में रहते हैं, उनको प्रोपर्टी वाले क्या कहते हैं वह? उनको कहते हैं कि चार पये लो और एक दिन के लिए भा जाओ। वे पांच रुपये मांगते हैं। मोशल बाइकाट की वजह से उनको जमान में जाने नहीं दिया जाता है। मैंने इसको अपने तजुबे में पाया है। कोर्ट में जाते हैं, अफसर को कहते हैं तो जवाब मिलता है कि अमना चायदाद में कैसे किसे को जाने देंगे। मोशल बायकाट जो उनका हो रहा है उसने बाजे में भी क्या कभी आपने सोचा है?

जो वकील लीग है वे तो कहेंगे कि यह राइट रहना चाहिये क्योंकि उनका धन्या खत्म हो जाएगा। ज्यादातर मुकदमें जो कोर्ट में जाते हैं वे प्रोपर्टी के होते हैं। नायज का काम हम वजह से कम हो जाएगा—

16.20 hrs.

[SHRI VASANT SATHE in the Chair]

SHRI DINESH CHANDRA GO-SWAMI There seems to be a misconception from which many of us are suffering. Many feel that the moment the property right is taken away from the fundamental rights, all rights over property will cease to exist. But, that is not so. Even if property right is taken out from the fundamental rights, the right as an ordinary right will remain.

भी जान कि वह और : वकील लोग तो इसे अपोष करने ही क्योंकि उनका धर्म नवंबरों में उ आया । फंडमेंटल राइट्स में तो और भी बहुत कुछ लिखा हुआ है । यह भी लिखा हुआ है

"There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State."

यह है कहां । एक तरफ पब्लिक स्कूल हैं जिन में पाच-पाच मी रुपया महीना दे कर लोग पढ़ते हैं और दूसरी तरफ गांव के बच्चे हैं जिन को देने के लिए तय्यब तक नसीब नहीं होते हैं । अब उनको आप इन बच्चों के साथ सम्पर्क करवाते हैं । कहा इक्वैलिटी की है यहां आपने उनको ? आपने एक मोनाइटी क्रियेट कर दी है जो अफमरो की मोनाइटी है । यह अप्रेजो का फार्मूला था कि मोनाइटी ऐसी तायम कर दी कि जो बन करती रहे । वही एजु-केशनल सिस्टम आज भी चला आ रहा है । उसमें कहा आपने सुधार किया है ।

हम मारे भारत में घुमे हैं कर्मटी के साथ, हमने देखा है कि शैड्यूल्ड कास्ट्स को कहा जाता है कि वे अप टू दी स्टेड्स नहीं है । गन ग्टेड्स देखा जाता कौन है ? वही लोग है जो नहीं चाहते कि हिन्दुस्तान के जो गरीब आत्मी है जो प्रापर्टी हैं वे ऊपर आ जाए जो रहते है प्रापर्टी राइट होना चाहिए । मैं समझा कि बकालत बड़ी करते हैं जो हिन्दुस्तान को एक्सलायट कर रहे, हैं लूट रहे हैं ।

आपने यह भी लिखा है कि अनटचै-बिलिटी की इजाजत नहीं होगी । लेकिन कहा गई है यह ? हमने घूम कर देखा है कि अब भी यह बरती जा रही है । अहुमबाबाद में चल कर आप देख लो । होटलो में हरि नो के लिए आज भी भलग से बरतन बहा रहे रहते हैं । गांवों में क्या हो रहा है ? पास प्रापर्टी नहीं है ? क्लासिभ क्रियेट बहा कर दी गई है ।

आज भारत में गड़बड़ करवाने की कोशिश की गई है । पिछले तीन तीस में हम ने देखा है कि गरीब आदमी तो चाहते हैं कि सरकार चलती रहे और जो प्रापर्टी वाले हैं वे चाहते हैं कि सरकार हटे । बिहार में आप ने देखा ही है कि जिन लोगों ने टाइयां लगा रखी थी उन्होंने जलूस निकाले, वे तो नारे लगा रहे थे कि सरकार से आप हटें लेकिन जो भूखे नगे थे , जिन के पास प्रापर्टी नहीं है वे कह रहे थे कि सरकार चलती रहे । आप उन लोगों की यहां बकालत करते हैं जिन के पास प्रापर्टी है । प्रापर्टी को बारे में कोई फंडमेंटल बात नहीं है और नहीं इसको फंडमेंटल राइट होना चाहिये । आप समाजवाद की बात करते हैं । वह समाजवाद कैसा जिस में इक्वैलिटी न हो । जिस समाजवाद में प्रापर्टी राइट होगा वह समाजवाद नहीं हो सकता है । आज भी हजारों एकड़ जमीन लोगों के पास है । लैंड सीलिंग का कानून आपने पास कर दिया है लेकिन फिर भी आज पंजाब में चार-चार हजार एकड़ जमीन के मालिक लोग बने बैठे हैं । प्रापर्टी का मामला एक मेन मामला है । जब तक यह रहेगा तब तक भारत में इक्वैलिटी कभी नहीं आ सकती है ।

आप 20 प्वाइंट प्रोग्राम को इम्प्लीमेंट करने आ रहे हैं । मैं एक मिसाल देता हूं । आपने उनको हाउस साइट्स दी है—जो भूमिहीन है । पर कितने केस है जो आज भी कोर्ट में चले गये हैं । लोगों ने स्टे ले लिया है । गवर्नमेंट गृह को एक्वायर करना चाहती है, लेकिन उन्होंने स्टे ले लिया है और मामला कोल्ड-स्टोरेज में पड़ गया है । कोई भी एम्प्लीकेशन फाईल करता है और कोर्ट स्टे देकर फाईल को फॉक देती है, दो-चार साल बैठे रहना पड़ता है और केस निकलता नहीं है ।

पंजाब का जो जमीन का कानून बना, उसके बारे में एक जज ने लैंड-मार्ड को कहा कि मेरे पास अपील फाईल कीजिये, मैं फैमिली की जो परिभाषा है, उसको तबदील करूंगा

[श्री भान सिंह जीरा]

और जानबूझकर उन्होंने फैमिली की परि-
चाया को तबदील कर दिया। तो ऐसे
प्रापर्टी वाले लोग वहां बैठे हुए हैं। यह
बेसिक सिस्टम का सवाल है। जब
तक आप इसे नहीं मानेंगे, उतनी
दूर समाजवाद का नारा यों ही रह जायेगा,
आप गाने गहिये इसे, लेकिन असल में
इम्प्लीमेंटेशन नहीं हो सकता। मैं समझता
हूँ कि श्री भोगेन्द्र झा का बिल अच्छा है।
आज हिन्दुस्तान में इसके बाने में सौचा जा रहा
है, कहते हैं कि हम सोच रहे हैं। इतना
अहम मामला है, ला-मिनिस्टर को यहाँ
होना चाहिये, लेकिन वह नहीं है, टिप्पटी
ला-मिनिस्टर भी नहीं है। इसमें आप
अप्राज कर लीजिए कि गवर्नमेंट इस मामले
पर किननी मीगियस है।

इसलिये मैं समझता हूँ कि आज
हिन्दुस्तान में जो बेमिस्त्र मामला है वह
यह कि प्रापर्टी राइट खत्म होना चाहिये।
इसके खत्म होने से करोड़ों लोगों को
'साफ मिलेगा, यह समाजवाद की तरफ
एक रास्ता होगा।

मैं समझता हूँ कि दूसरा जो प्रमेडमेट है,
यह भी बड़ा साफ है। स्मगलर्स के खिलाफ
कार्यवाही होनी ही चाहिये। इसमें दो राय
नहीं हो सकती हैं। मैं समझता हूँ कि जो
मिनिस्टर यहाँ पर अबाध देंगे, वह फ़राख-
दिल्ली से इस प्रमेडमेट को मान लेंगे, इससे
हिन्दुस्तान के वातावरण में उनकी और भी
बढ़ाई होगी और जो लोग यह समझेंगे
कि हिन्दुस्तान की सरकार कुछ करना
चाहती है।

लोग बिल्कुल साफ यह जानना चाहते हैं
कि आप प्रापर्टी राइट को खत्म कर रहे हैं
या नहीं, जो सरमायेदारी का सिस्टम चल
रहा है, उसको खत्म कर रहे हैं या नहीं,
या आप सरमायेदारी सिस्टम को रखे
रहेंगे और समाजवाद की बात करते रहेंगे?

हमारा जो विधान है, इसकी
हिन्दुस्तान के समाजवाद के डब्ले पर झलक
होगा, इसको तबदील करना होगा, सभी
लोगों को इन्साफ मिल सकता है।

इन शब्दों के साथ मैं इस प्रमेडमेट को
सपोर्ट करता हूँ।

श्री भागवत झा (भागलपुर):
सभापति महोदय, मैं सविधान के इस सशो-
धन विधेयक का पूर्णतः समर्थन करता हूँ।
श्री भोगेन्द्र झा ने जिन विषयों पर सदन का
ध्यान आकृष्ट किया है, वे सभी-महत्वपूर्ण
हैं।

आज देश में सिर्फ एक ही बात पर ध्यान
दिया जा रहा है सामाजिक पिछड़ेपन के
नाम पर, लेकिन कहीं-नहीं इसका अर्थ यह
हो गया है कि कुछ लोग धनी हो रहे हैं
अगर वह बैंकवड क्लाम वे नहीं है या हरिजन
नहीं है, भले ही जितने लोग उस क्लाम से हैं
वे सब जन्म से गरीब ही हैं। इसका यह
परिणाम हो गया है कि आज समाज में
पिछड़ेपन के नाम पर बहुत से ऐसे लोग हैं
जिन के पास अपार सम्पत्ति है, फिर भी वे
धनी नहीं हैं, और जो उच्चवर्ग में पैदा
हुआ है चाहे उस के पास कुछ भी नहीं
है, लेकिन फिर भी वह धनी है। इसलिए
माननीय सदस्य ने जो पहला प्रमेडमेट दिया
है, वि' सोशली के साथ इन्फ़ामिक्ली जोड
दिया जाये, वह सही है और उसे सविधान
के साथ जोड दिया जाये।

मुझे याद है, जब स्वर्गीय श्री पत जी
गृह-मन्त्री थे, हम लोगों ने इस बात पर जोर
दिया था कि इस में परिवर्तन होना चाहिये,
सशोधन होना चाहिये और समाज में आर्थिक
दृष्टि से जो पिछड़े हुए लोग हैं, उनको पिछड़ा
हुआ होना माना जाना चाहिये। हमने
काम तो अच्छा किया कि जो समाज के
पिछड़े वर्ग के, बैंकवड क्लाम हरिजन और

द्रष्टव्य जाति के लोग हैं, उन को ऊपर उठाने का काम किया। इसका अर्थ यह हुआ कि जन्म से जो ऐसी किसी जाति में पैदा हुआ वह बरीब है और जन्म से उच्च जाति में पैदा हुआ वह धनीर है। इसलिये श्री भोगन्ध झा का यह संशोधन बिल्कुल सही है कि आर्थिक दृष्टि से जो पिछड़े हुए हैं उनको जोड़ दिया जाये। यह बहुत आवश्यक है और हम लोग बरसों से इस पर जोर देते आ रहे हैं।

माननीय सदस्य श्री झा, का एक संशोधन यह है कि "धर्म" के बाद "पोलीटिकल व्यूज" जोड़ दिया जाए। पिछले कुछ वर्षों में हमने देखा है कि हम देश में राजनैतिक लक्ष्यों की प्राप्ति के लिए बड़े बड़े आन्दोलन हुए हैं। बिहार में आनन्द मार्ग द्वारा आन्दोलन चलाए गए हैं। धर्म के नाम पर आन्दोलन चलाए गए हैं। निरन वास्तव में बाहर से रुपया प्राप्त करके वे एक ही विचार का प्रचार करते रहे हैं।

श्री भोगन्ध झा : आनन्द मार्ग और आर० एम० एम० पोलीटिकल होने का दावा नहीं करते हैं।

श्री भगवत झा आजाद : मैं माननीय सदस्य की बात को मानता हूँ कि वे लोग धर्म के नाम पर प्रचार करते हैं, लेकिन सम्पत्ति और सुविधाएं जुटाकर वे किस बात का प्रचार करते हैं ? वे लोग चाहते थे - अब तो वे यह नहीं कह सकते हैं - कि जिस सरकार ने संविधान में परिवर्तन कर के राजा महाराजाओं के प्रिबी पर्सिज को खत्म कर दिया, बैंकों का राष्ट्रीयकरण किया और कई अन्य प्रगतिशील कदम उठाए, वह सरकार न रहे। आनन्द मार्ग और बाल योगेश्वर आदि धर्म के नाम पर

खेलने वाले खिलाड़ी आखिर क्या चाहते थे। उनका लक्ष्य क्या था कि केन्द्र में सत्ता को हथियाया जाए। इसलिये मुझे लगता है कि अगर सम्मेलन अनुच्छेद में "पोलीटिकल व्यूज" को जोड़ दिया गया, तो कठिनाई होगी। बिहार में जो आन्दोलन किया गया उसमें अधिकांश राजनैतिक विचार के लोग थे या नहीं ? क्या जनसंघ राजनैतिक है या नहीं ?

श्री भोगन्ध झा : श्री जय प्रकाश नारायण अपने आप को राजनैतिक नहीं कहते हैं। वह अपने आप को जीवन-दानी कहते हैं। इसी तरह आनन्द मार्ग और आर० एम० एम० भी अपने आप को गैर राजनैतिक कहते हैं।

श्री भगवत झा आजाद : वे तो कहते हैं, लेकिन माननीय सदस्य क्या कहने हैं ? क्या पिछले कुछ वर्षों में श्री जयप्रकाश नारायण द्वारा चलाया गया आन्दोलन और जनसंघ द्वारा चलाया गया आन्दोलन राजनैतिक नहीं था ? जीरो कांग्रेस द्वारा जो गठबन्धन किया गया, क्या उसका स्वरूप राजनैतिक नहीं था ? ये तो स्पष्टतः पोलीटिकल पार्टियाँ हैं ? आखिर हमको इमरजेन्सी क्यों लानी पड़ी ? आनन्द मार्ग, बाल योगेश्वर या श्री जयप्रकाश नारायण की हाल की गतिविधियों और जनसंघ तथा जीरो कांग्रेस के आन्दोलनों से यह स्पष्ट हो सकता है कि अगर संविधान में "राजनैतिक विचारों" को जोड़ दिया गया होता, तो हम इन व्यक्तियों और संस्थाओं के विरुद्ध कोई कार्यवाही नहीं कर सकते थे। इसलिये मैं माननीय सदस्य के संशोधन से बिल्कुल सहमत नहीं हूँ।

[श्री भगवत शा आजाद]

जहाँ तक सम्पत्ति का प्रश्न है, उसके सम्बन्ध में आवश्यक संशोधन होना चाहिए। श्री भौरा ने ठीक कहा : है कि इस देश में मिनिस्टर्स और आई० ए० एस० तथा आई० पी० एस० अफसरों के बेटे पब्लिक स्कूलों में पढ़ कर देश पर शासन करते हैं और हिन्दुस्तान के किसान का बेटा कुदाल लिए मिट्टी से चिमटा रह जाता है। हमारे देश में दो प्रकार की शिक्षा है : अमीरों के लिए पब्लिक स्कूल हैं और गरीबों के लिए बेसिक स्कूल। किस किस मिनिस्टर या आई० ए० एस० तथा आई० पी० एस अफसर के बेटे बेसिक स्कूल में पढ़ते हैं ?

गृह मंत्रालय में उपमन्त्री (श्री एक० एच० मोहसिन) मेरे बच्चे पढ़ते हैं।

श्री भगवत शा आजाद : तो आप एक्सेप्शन होंगे।

श्री एक० एच० मोहसिन मेरे तीनो बच्चे सेंट्रल स्कूल में पढ़ते हैं।

श्री भगवत शा आजाद अब बाग पकड़ में आ गई। जब मैं चार साल के लिए मिनिस्टर बना दिया गया था, तो उस समय में सेंट्रल स्कूलों की संस्था का चेयरमैन था। मंत्री मंडल का यह निर्णय है कि स्कूलों में अंग्रेजी और हिन्दी दोनों शिक्षा का माध्यम होंगी। लेकिन आज सेंट्रल स्कूल वास्तव में माडर्न स्कूल और पब्लिक स्कूलों की बराबरी कर रहे हैं। आज बड़े बड़े अफसरों के बेटे केन्द्रीय स्कूलों में पढ़ कर वही करते हैं, जो माडर्न स्कूल में पढ़ने वाले करते हैं। इसलिए मंत्री महोदय की बात सही नहीं है।

इसलिए आज यह आवश्यक है कि संविधान में परिवर्तन किया जाए। कुछ माननीय सदस्यों ने कहा है कि प्रोपर्टी राइट बड़ा सेक्सेक्ट है। क्या इस राइट का अर्थ यह है कि कुछ लोग खाकर मरें और कुछ बिना जाए मरें ?

आज देश के हर भाग से आबाध आती है - नहीं याने काबून यह। "नहीं मानेंगे काबून, यह जो मुझसे गरीबी का पट्टा लिखाती है।

मिटकर झोंपड़ी मेरी जो महलों को दिखाती है।

खा खा कर मरें वे, मौलिक अधिकार उनका है।

बिना जाए मरे हय, यह अधिकार मेरा है।

यह संविधान कह रहा है कि देश का इम संविधान में परिवर्तन होना चाहिए। खा खा कर मरने वाले जो हैं उन को भी नहीं मरने दगे और बिना जाए मरने वाले जो हैं उनको तो मरने नहीं ही दगे। इसलिए जो भोगेन्द्र शा जी अमेंडमेन्ट लाए हैं प्रापर्टी राइट्स में सुधार होना चाहिए। प्रधान मंत्री ने अपने इन दस वर्षों में, इम दशाब्दी में बहुत से अच्छे-अच्छे कार्य किए हैं। उन्होंने बैंक छीने। त्रिवी पर्स को लिया, बैंक आज देहातों में गए हैं। ये सारे कार्य उन्होंने किए। प्रधान मंत्री आज सबसे प्रमुख कार्य यह करें कि संविधान में परिवर्तन हो, प्रापर्टी का यह राइट जाए।

साथ साथ मैं यह भी कहूंगा, ला मिनिस्टर तो हैं नहीं संविधान में और भी धाराओं में परिवर्तन की आवश्यकता है, 311 में परिवर्तन की आवश्यकता है। आज इस देश में एमरजेंसी में इम कोई बात लिखते हैं, प्रधान मंत्री जी उसको

बया करती हैं कि भेजती हैं मुख्य मंत्री को । मुख्य मंत्री भेजता है चीफ सचिव को, चीफ सचिव भेजता है क्लेक्टर को, क्लेक्टर भेजता है एस० डी० प्रो० को और एस० डी० प्रो० उसी अधिकार के पास भेजता है जिस के खिलाफ शिकायत की गई है । भगवत झा ने जो लिखा वह सही नहीं है जो बजाक का सचिव अधिकार लिखता है या वहां के कर्मचारी ने जो कहा वह सही है । आज संविधान में जो अधिकार दिए गए हैं 311 में वे अधिकार बिल्कुल उसका बचाव किए हुए हैं । आज किसी भी व्यक्ति पर 6 वर्ष से पहले आप कोई कार्यवाही नहीं कर सकते हैं । इसलिए संविधान में परिवर्तन होना चाहिए । भोगेन्द्र झा जी वह क्लाइमूल गए । इस लिए आज इसकी आवश्यकता है और देश कह रहा है कि संविधान में परिवर्तन हो । 311 में संशोधन हो । प्रापटी राइट में संशोधन हो ताकि समाजवाद का वह रथ जो दिल्ली से चला है, चल रहा है और चलता चला जा रहा है पर ऐसा लगता है कि वह कहीं फंस गया है, वह देहात तक नहीं पहुंच पाया है, उसको देहात तक पहुंचाया जा सके । प्रधान मंत्री ने जो सराहनीय कार्य किए हैं उन सराहनीय कार्यों में यह कार्य भी जोड़ा जाए । सम्पत्ति जन्म से नहीं मिले । जो कमाए सम्पत्ति को उसको वह खाने को मिले, न कि उनको जिनके पिता ने, जिन के दादा ने चोरी करके, डकैती करके जमा किया हुआ है । फ्रांस के प्रसिद्ध विद्वान पूषो ने ठीक कहा है कि प्रापटी इज ए थैफ्ट यह अधिकार तोड़ दिया जाए । भिटा दिया जाए । इस लिए मैं इस संशोधन का पूरा समर्थन करता हूँ ।

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): Sir, I am very much thankful to the Members who have taken a keen interest in this Bill and have contributed much to the debate. The Bill was introduced in the year 1971 and much water has flowed down the Ganges since then, or the Jamuna, you can say. Now, the Bill as it is amended by Mr. Bhogendra Jha has undergone many more changes. It had changed even the basic intentions of his own Bill. Except for four lines of his original Bill, everything had changed. I think he ought to have brought another Bill for withdrawing this Bill. He sought to delete clauses (2), (3) and (4) of article 19 in the original Bill. He has dropped those ideas now. Now, by his amendment, he seeks to delete 19(f) and some changes in 19(g), which he has not sought before, in the original bill. Sir, I will deal with the amendments one by one. The first amendment that he wants to make is in the Article No. 15. This clause of Article 15 is an enabling clause. It empowers the State to make any special provision for the advancement of any socially and educationally backward class of citizens or for the Scheduled Castes and the Scheduled Tribes. It is only an enabling clause. Now, he wants to add the word 'economically'. Sir, I have no quarrel with him because the very spirit of the Constitution is economic emancipation in our policy. The Preamble of the Constitution itself contains the resolve of the people to secure not only social and political justice to all citizens but also economic justice and equality of status and opportunity. There are enough provisions in the Constitution which go a long way in achieving these objective—article 39, 41, 42, 43, and 46.

MR. CHAIRMAN: They are part of Directive Principles.

SHRI F. H. MOHSIN: Yes. The five year plans, the 20-point economic programme etc. are all meant for economically backward people. We have not found any legal difficulties in im-

*Bill**Bill*

[Shri F. H. Mohsin]

plementing them. Some State Governments may be slow in implementing them, but that is a different matter. I do not think there is any legal impediment. Wherever we came across legal impediments, we removed them by making suitable amendments. Article 29 says:

"The State shall, in particular, direct its policy towards securing—

- (a) that the citizens men and women equally, have the right to an adequate means of livelihood;
- (b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;
- (c) that the operation of the economic system does not result in concentration of wealth and means of production to the common detriment,
- (d) that there is equal pay for equal work for both men and women;
- (e) that the health and strength of workers, men and women and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;
- (f) that the childhood and youth are protected against exploitation and against moral and material abandonment."

Article 41 deals with right to work, to education and to public assistance in certain cases.

MR. CHAIRMAN: You may read article 37 too which says these directive principles are as fundamental as anything else.

SHRI F. H. MOHSIN: He knows that.

SHRI SOMNATH CHATTERJEE: Are you objecting to Mr. Jha's amendment because all these have been achieved, according to you?

SHRI F. H. MOHSIN: You may complain about the implementation,

but now we are concerned with constitutional amendment and legal impediments. We are much more sincere about implementation than you on the other side.

About the amendment of article 16 now he says that political views should not come in the way of employment. Is it the view of the Member that the Congress Party has appointed all the Government employees? If that is so, then there should not be any opposition union among Government employees. We do not make any distinction of the political views for giving employment, nor there is any provision for that.

SHRI SOMNATH CHATTERJEE: You make a distinction of your group views.

SHRI F. H. MOHSIN: You represent a very small section of the country just as you represent a small group in the Parliament.

SHRI SOMNATH CHATTERJEE: But not a hypocritical group. Would you permit political activity on the part of Government servants?

SHRI F. H. MOHSIN: I say now that if there are any people with the political view to disrupt the country and not loyal to the Constitution, they have no place in Government employment, and they have no right for employment. We do not come in the way of legitimate political views. We do not make any distinction on that ground. But let me make it clear that all those people who seek employment should have full faith and loyalty to the Constitution.

SHRI SOMNATH CHATTERJEE: Not to you!

SHRI F. H. MOHSIN: I have never said so. The Constitution is there.

SHRI SOMNATH CHATTERJEE: The present Constitution, you mean.

SHRI F. H. MOHSIN: You do not believe in the Constitution. Now, about the amendment of article 19. On this article, the views of Mr. Bhogendra Jha have undergone many changes. Now, he has brought another amendment to omit 19(f).

SHRI SOMNATH CHATTERJEE:
 What about property?

SHRI F. H. MOHSIN: This provision had a good debate both in this House as well as outside. This is a very important provision that he has sought to amend. This article is not absolute in itself but it is subject to restrictions as mentioned in sub-clause 5:

"Nothing in sub-clauses (d), (e) and (f) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing reasonable restrictions on the exercise of any of the rights conferred by the said sub-clauses either in the interests of the general public or for the protection of the interest of any Scheduled Tribe."

So, the right to hold, acquire or dispose of the property is subject to this sub-clause 5. That is the reasonable restriction that may be imposed by the State in the interest of general public or for the protection of Scheduled Tribes. As many people think that it is not an absolute right to hold and dispose of property, many measures have already been passed. Ceiling on Urban Land is there; legislation on land reforms is already there and ceiling on agricultural land is also there. Almost all the State Governments have enacted this. It has almost come to the full implementation stage. Now, we have recently passed the Urban Land Ceiling Bill. He can suggest some more measures to be taken. I have no quarrel about that. Suggestions for taking measures and putting restrictions on holding and disposing of property, in general interest, or in the interests of the Scheduled Tribes can always be made. Of course, the present stand of the Government is not to omit the right to property as contained in 19(1)(f) subject to sub-clause (5); but I cannot say what will be the stand in future, anyway. Discussions are going on. But the present view is not to dispense with the provision of the right to acquire, hold and dispose of property. I can mention that the

zamindari was also abolished; and agrarian reforms have been implemented for the purpose of upholding the social and economic status of the small cultivators and the weaker sections. The adequacy of compensation has been made non-justiciable under Article 31(2). Banks were also nationalized in order to ensure that the economic benefits accrued also to the small people, people in the low income groups, privy purse was also abolished and an anachronism in our society was thus removed. With the Constitution (25th Amendment) Act of 1971, the laws relating to the compulsory acquisition and requisition of property were exempted from passing the so-called test of adequacy of compensation. This amendment was aimed at undoing the effect of the decision of the Supreme Court in the case of *Cooper vs Union of India*, popularly known as the bank nationalization case. It is thus clear that there is no constitutional impediment in the way of the implementation of progressive social and economic reforms, as he doubts. The last amendment which he has sought is in regard to Article 22. Mr. Jha has also suggested an amendment to Article 22(3) (b) of the Constitution. This provision in the Constitution at present lays down that a person who is detained under the preventive detention law shall not be informed of the grounds for such arrest, nor shall he have the right to consult a lawyer, nor a right to be produced before a magistrate before 24 hours of arrest. Now, Mr. Jha wants that that right shall not be available only to such persons who are detained under the preventive detention laws in connection with smuggling, foreign exchange racketeering, usury and other economic offences, and attempting the violent overthrow of the Government. He wants to exempt only them. But there may be cases where people are rather provoking the Army to revolt against the Government. (Interruption). It may not be violent. It means appealing to the Army to

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revolt against the Government or appealing to the police, which maintains law and order, to rebel against the Government. That does not come under all these things. (Interruptions) They might say that they had only stated that; and that they would not indulge in violent acts. (Interruptions) Again, there may be an attempt to overthrow a constitutionally, democratically formed government (Interruptions) by creating disaffection among the people by other methods by illegal methods, by taking even foreign money—which may be peaceful—or even inspired by foreign countries. So, even if they are peaceful, they are very dangerous to the integrity and the interests of the country. (Interruptions) If we accept this amendment, such persons will go scot-free. This amendment will not apply to them and it will not satisfy those requirements. On this ground, the amendments proposed by Shri Bhogendra Jha are not acceptable to us.

Since he introduced the Bill, he has made many changes. He has made rethinking on his own Bill. Since 1971 it has undergone many changes. Even from the time he has moved his amendment, he must have thought more on this matter.

SHRI BHOGENDRA JHA: But there is a full stop to the thinking on your side.

SHRI F. H. MOHSIN: In the country a debate is going on on the constitutional changes to be made, and our party has set up a Committee to suggest the constitutional changes. These are things which are within his knowledge. Let him not think that we are no less progressive than him. In fact, we are more progressive. Does he say that by removing the right to property he will have no right to his own spectacles and that I can take away his spectacles or his house?

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY

AFFAIRS (SHRI K. HAGHU RAMAIAH): You are forgetting that even if you take away his house, his party will give him one.

SHRI F. H. MOHSIN: The holding of property as such is not objectionable. Only holding of property to exploit others is undesirable. We have to make a complaint only against exploitation. Suppose a man has a house for his own living, not for exploiting others, should he not be allowed to have that much property that he possesses? Otherwise it would mean that whoever owns property will have no right to hold it and he cannot dispose of it. From whatever little information I have of the state of affairs in Communist countries, even in those countries a person can own a house for his living and have a small kitchen garden, the produce of which he can sell in the market. Apart from that, we do not want to copy any foreign country, so far as our political set up is concerned. We want to evolve our own set up. If he is suggesting the introduction in our country the political views of some political portion in other countries, it is not acceptable to us. Let us formulate our own views on this matter. The idea that he has sought to introduce by means of this amendment is not acceptable to us.

I am sure by now he must have been convinced of the consequences or repercussions of his amendment, if it is accepted. I would request him not to press for it, rather to withdraw it, in view of the debate that is going on about the constitutional changes.

SHRI BHOGENDRA JHA: Sir, I congratulate the members including the Minister, for their participation in the discussion on this Bill. I find that some allegations have been made with regard to the very fundamentals of Marxism. It was said by a few that Marxism is out of date. Marxism was not only for the time of Marx. It is a science which analysed the whole human development, the whole space

development, the whole development of the philosophy of dialectic materialism of human beings in the entire world, in the entire universe, I do not think that it is correct to say, as some important scholars do, that what Marx said was only limited to his time and to a certain set of circumstances.

A few friends have stated that if the right of property is removed from fundamental rights, there will be violent revolution, which is what we want. Of course, we are for revolution: a total reformation of the socio-economic order. We want a basic revolution in the social order, the economic order and the administrative set-up and order dependent upon that. With regard to that there should not be, nor can there be, any compromise on the part of those who stand for wealth for the producers of wealth. But the question is, must revolution be necessarily violent? We emphatically say: no Marx and Elgin said so, and Lenin also accepted that. He was for peaceful co-existence, but when the Czarist army attacked, he said there was no way out but violent revolution.

The Bill has been introduced with this motivation, namely that, with the growing awareness among the people, the toilers and the middle classes in our country, and the growing spread of socialism throughout the world, the situation is such where we can eliminate exploitation through peaceful means. There is this possibility, and this is not only our present evaluation.

In 1958 at our party congress at Amritsar, when the party was united, the CPM had not gone out, in the very preamble to the constitution which we adopted, we said that in India the CPI would try for a peaceful transition to socialism and that if it was achieved, even the opposition parties would be allowed full freedom to act within the framework of the socialist

constitution. So, this is how things have been evolving.

The hon. Minister's reply has been very disappointing. It seems he is fully satisfied with the present state of affairs.

SHRI SOMNATH CHATTERJEE: More than.

SHRI BHOGENDRA JHA: If so, I do not think he would be representing his party fully.

SHRI SOMNATH CHATTERJEE: Then, he would lose his job.

SHRI BHOGENDRA JHA: No, because everything is possible in that party.

We have up till now had 39 amendments to our Constitution, and many more are pending. Why? Because we gave ourselves a Constitution which contained very good intentions, very good motives, written in the preamble and the directive principles which were not enforceable, as also certain fundamental rights which could be enforced.

This contradiction is there from the very beginning. The fathers of the Constitution, the drafters, those who participated in it, realised and discussed this aspect, but I think, on the basis of correlation of forces then existing in our country in the Constituent Assembly itself, it had been elected not only on the basis of adult suffrage but on the basis of limited franchise. In that wider Constituent Assembly, much could not be done, more could not be done. So, this is the result of the correlation of forces after the partition of our country based on the compromise with the British Imperialists. So, that way, we got our Constitution.

17.00 hrs.

The first amendment to the Fundamental Rights was moved not by any Communist but the first Prime Minister of India himself. Why was

[Shri Bhogendra Jha]

it done? It was done because, the judiciary was evolved on the British pattern, on the pattern which was in existence before our Independence. That very pattern, we have been maintaining up-till-now, because the judiciary is being still nominated, the judges are being nominated not on the basis of their understanding of evolution of our Constitution, the democratic advancement of our Constitution, but of that very old pattern. That is why, we have seen repeatedly that even the progressive measures in the interest of even advancement of our country, like the Zamindari Abolition Act, was challenged. The Bihar Act was challenged in the Patna High Court and that was confirmed by the Supreme Court on the ground that there was a slab system of paying compensation to the land-lords. So, the court took the view that equality before law was being violated. When small land-lords are being given more compensation and big land-lords are being given less compensation, it is *ultra-vires* of the Constitution. In other States also it took place. Then the Government moved an amendment to the Constitution that on the quantum of compensation no act would be challenged. Again, in the case of Bengal Land Enforcement Act, Berubari case and another case, the Supreme Court held the view that the compensation should be equivalent to the market value. And again that was set aside. So, another amendment had been introduced in the Famous Shollapur Mill case. Thrice, the Supreme Court gave three contradictory judgements. As a result of that, it was decided that even temporary take-over—not even nationalisation—was violative of the Fundamental Right to property which is given in 19(1)F. This way again the Constitution was amended.

We all know fully—Mr. Mohsin is here—that in the case of Bank Nationalization, we did not take a pie be-

longing to the banks' owners. Only the money deposited by the depositors was brought to the hands of the Government through the banks. So, that way, it was not a socialistic measure. The Prime Minister was honest enough, frank enough to say repeatedly that bank nationalisation measure was not a socialistic measure. Many capitalist countries—she named four countries—had also nationalized their banks. But despite that, our court took the view that it was violative of the Fundamental Rights of the Constitution. Again, it comes under 19(1)F.

Similarly, in the case of Privy Purses—the purse was given to them from the tax taken from the people—apart from the huge property illegally occupied by them, they were being paid a huge purse money. But even that was set aside. The people of India must pay regularly taxes to the Princes as Privy Purses and the Supreme Court again nullified that amendment of ours.

Then the Lok Sabha was to be dissolved. We went to the people. We all know even now that about 39 cases are pending; they had to be taken together. The Supreme Court had once taken a decision that collectively they will be heard and there is an argument in our country because of the emergency, they are a bit subdued. There is an argument that the Supreme Court has held a view that Fundamental Rights could not be altered, could not be amended with regard to the basic structure.

Some people hold a view that you went to the people, you went to the electorate, you got the verdict and formed the Government, you got the right to run the country, but the judgment of the Supreme Court in the Privy Purses case and in the Banks Nationalisation case, stands. Some ex-princes are taking the advice and holding the view that that has not

been nullified because the basic structure issue remains. So, we know how our efforts to remove feudal hurdles, monopolistic hurdles, capitalistic hurdles, have met strong resistance from the courts.

This is what we have stated in the Preamble of our Constitution. I think, that must be more fundamental than even the fundamental rights themselves. It says:

"WE THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression belief, faith and worship;

EQUALITY of status and of opportunity; and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION."

What has happened to that?

Coming to Justice, is there equality of justice? Is the common man equal before law? Can the common man have equality of justice? Can the common man even approach the Supreme Court. I am not talking of losing or winning a case. Even to approach the Supreme Court, the common man has to spend at least Rs. 25,000/- from the lower court to the district court, the High Court and

the Supreme Court. It is all because of economic inequality. Justice is on sale. I am not talking of corruption. I am talking of justice. There is an open sale of justice in our Courts. You can hire one of the biggest lawyers, the barristers, of Delhi, Bombay and Calcutta and bring them to the lower courts. You can simply over-awe the local magistrates and munsif magistrates and get things done as you please. It is being openly done. It is violative of the right to justice, social, economic and political.

With regard to social equality, my hon. friend, Shri Bhaura has said how even after such a long period of Independence, you cannot say that you are even nearing social equality. Inequality persists in all walks of life. And wealth is the dominant factor there. There is oppression against Scheduled Castes and Scheduled Tribes people. Some very few families hold wealth in the form of land, property and other things. They are hoarders, black marketeers and usurpers. They exploit the common man. They have got their representatives inside the administration, inside the judiciary and even inside the elected organs of administration. They dominate over the local administration. The only thing that is fundamental for them is the right to property. Other things are completely erased. That position is uppermost in spite of all our professions to the contrary.

As regards the liberty of thought, expression, belief, faith and worship, what is the position? Have you got the liberty of thought and expression? One big person owns 18 dailies, the Goenkas, the Tatas own the Statesman group of papers, the Birlas own the Hindustan Times group of papers. Only five or six families in the country are owning the overwhelming majority of daily newspapers in the country and all varieties of periodicals, like Dharma Yug, Filmfare, Femina, Parag, whatever it is. Because of the

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power of the purse, the press is subjugated; the freedom of expression is subjugated.

Even in regard to religion, I can acquire property through black-marketing, smuggling and hoarding. The biggest smugglers in our country are perhaps the topmost Hajis. The biggest black marketers in the country have the biggest Birla Mandirs where the people go and worship. Even religion is on sale; faith is on sale. The only fundamental thing that remains is the right to wealth. How can there be equal status and equal opportunity when there is huge inequality with regard to ownership of wealth? In such a situation, we have totally violated the preamble of the Constitution itself, which is the basic thing for the entire country, which the people of India gave to themselves in 1949, and which was based upon the declaration of independence for which we took the pledge on 26th January.

The Minister has talked about the Directive Principles. I wish his views could have been something to stand up on in practice. There are many good things in the Directive Principles. Elephants have two types of teeth: one for eating and the other for showing. The whole Directive Principles are, similarly, only for showing; they were meant to be said on a political platform, in the election manifesto. We had asked the Minister to read it out further, but he did not read because he knew that he would have been exposed. Art. 37 says:

"The provisions contained in this Part shall not be enforceable by any court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws."

The entire protection is compressed in one article. Even if something is done through legislation, it is stayed; for example, bank nationalisation, abolition of privy purses, land ceiling Acts, the Punjab Land Ceiling Act, the Haryana Land Ceiling Act. All these measures were stayed. In Bengal, even procurement of paddy had been stayed. In such a situation, nothing can be done to enforce it.

Now, what has been done by Government? Art. 45 provides:

"The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years."

That was in 1949. This ought to have been achieved by 1959. This is 1976. Can we say that we have achieved this? I do not think the Minister can say that even in the next five years, they will be able to achieve that—free and compulsory education for all children until they complete the age of fourteen years. Therefore, they have openly, totally, most shamelessly, violated the provisions contained in the Directive Principles of the Constitution which are fundamental in the governance of the country. And he is representing the Treasury Benches, the Government.

Similarly, article 39(c) says:

"that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment."

Any one will laugh at it. Even the Minister will laugh at it—the way wealth has gone on concentrating in the fewest possible hands.

Similarly, all other articles and clauses of Part IV have been violated

because they cannot be enforced, they are not enforceable. In such a situation, there is not only the need or necessity but unavoidable necessity that we amend it; here, I am referring to Part III, Fundamental Rights. Many other things also need to be amended, but here the right to property goes against human dignity and the interest of our country. I know, by simply deleting article 19(1)(f), property will not go, capitalist relations of production will not go, but the democratic process....

MR. CHAIRMAN: All that you are saying is an after-thought—after Mr. Unnikrishnan's Resolution has been brought. There has been a long discussion on that here. Kindly do not repeat the whole discussion that took place....

SHRI BHOGENDRA JHA: Mine was discussed 15 days ago. That Resolution came only eight days ago.

SHRI K. P. UNNIKISHNAN (Badagara): It was introduced on 30th January.

SHRI BHOGENDRA JHA: Amendments were moved and circulated earlier.

MR. CHAIRMAN: I am saying that already a discussion has taken place, therefore, you are only repeating the same performance. The importance is there, no doubt. Anywhere, please conclude now.

SHRI BHOGENDRA JHA: I want to say one more thing. With regard to the property, the hon. Minister has said that he can take my spectacles. Under socialism, none has yet proclaimed, none has yet uttered that articles of personal use of personal consumption shall not belong to any individual. Not only in any socialist system, but that is not there even under communism. When you attack those persons, who are holding wealth not earned by them, that is welcome. I congratulate Shri Bhagwat Jha Azad that he has correctly said that.

When the wealth is stolen or illegally acquired, you attack them, but he is comparing that with my spectacles, he may compare that to my dhoti or pyjama. I think, one can pity on these arguments.

I wish to say with regard to political views, why it is necessary. It is necessary not because political views should be allowed to deteriorate into political action to subvert our democratic system and that is why my amendment is here with regard to any attempt to overthrow a democratically elected Government.

Knowing the judiciary that we have, we know that despite what the Minister says, a very large number of employees and even officers are there, who belong to the band of RSS. I think, as long as Article 311 remains and the present composition of the judiciary remains, it is not very easy for the Government to remove them. For the property owners' class, it is quite another thing. They will have the right under any capitalist society based on property. Here the question is for those only who want to eliminate exploitation. That is why, I want that in political views there should be no discrimination.

With regard to the economic inequalities, some hon. Members including Shri Bhagwat Jha Azad have argued on this point. That can be eliminated only after breaking the economic base of that operation, but the economic opportunity must also be ensued.

Finally, I want to say that when the Minister was replying, he said that a discussion was going on in the country. I know that and this Bill has come on time when the things are being discussed, otherwise, I do not think, he could have been in a mood to argue with us even. I want to remind him that even the judges in the courts are generally giving their judgments in accordance with their political mood. Golakh Nath case judgement came in 1957 when

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even the parties like Jan Sangh were having Government in many States. There were communal riots in many parts of the country. During that period Golakh Nath case judgement came. Six judges were in favour and five were against. My friend Shri Anthony had given an argument last time that democracy should not be applied to the judiciary. In that case way not accept the views of five judges and why accept the views of six judges? Because of the democratic structure of those who have been nominated undemocratically, they want to limit it. In the Prime Minister's case we have seen, (in the Allahabad Case) some people, over-fight because democrats; and there was talk that the Assembly should be dissolved, and Lok Sabha should be dissolved. Then that judgment came. With political views judgments are human beings; from the society and from the privileged class of society. They are not immune from the society. If you know the famous case of Shri A. K. Gopalan, there the Supreme Court could not give us the Fundamental Rights. I had myself come with fetters from the prison to plead before the Supreme Court, the late father of my friend Shri Mahajan was in the Bench, Shri Patanjali Sastri was the Chief Justice. They could not give justice to us. I have to say, I know you are not in a position to give justice because you are bound by law based on evidence. That is the limitation. A few judges want to be honest. But they are helpless. In such a situation, I wish that this House as early as possible, deletes that shameful clause (f) from Article 19 of the Constitution.

SHRI K. RAGHU RAMAIAH: On a point of order. We have all sworn by the Constitution. Can you call any part shameful? He says, remove the shameful clause.

(Interruptions)

SHRI BHOGENDRA JHA: We have adopted the preamble. We have sworn by the Constitution. But there is an important intrusion and we have to prove loyal to ourselves and to others. This must be deleted, sooner the better. My Bill refers to Fundamental Rights, Chapter III. There are many more amendments needed in other parts of the Constitution itself—Articles 31, 32 have to go. Many amendments are required and I think that is being discussed in the country. I wish the discussion takes place in this House and outside. Time may run out. As long as the present the democratic structure is not in a position to give a sound base, we should do something remove these obstacle. Otherwise, none knows what will happen. Emergency has saved democratic structure and democratic process. The hon. Minister has argued in a lethargic and complacent way. I think time may not wait for us. Time and tide wait for none.

The sooner it is done, the better.

MR CHAIRMAN: What do you want to do?

SHRI BHOGENDRA JHA: The hon Minister has said that in the wider perspective it should be adopted. We know that the ruling party has formed a Committee. I do not know what will be delivered, whether it will be satisfactory or not, whether it will be tolerable or not. But inside the Ruling party and outside also, it is a welcome thing that the Prime Minister herself and the Law Minister also are talking to the people. Openly speeches are being made in the right direction. We think that a comprehensive Bill will be brought on these lines. So I would like to withdraw this Bill.

MR. CHAIRMAN: Mr. Daga, what do you want to do about your amendment?

SHRI M. G. DAGA: I seek leave of the House to withdraw it.

MR. CHAIRMAN: Does the hon. member have leave of the House to withdraw his amendment?

SEVERAL HON. MEMBERS: Yes.
Amendment No. 1 was, by leave withdrawn.

SHRI BHOGENDRA JHA: Sir, I seek leave of the House to withdraw my Bill.

MR. CHAIRMAN: The question is:

"That leave be granted to Shri Bhogendra Jha to withdraw the Bill further to amend the Constitution of India."

The motion was adopted.

MR. CHAIRMAN: Leave is granted. Now you may withdraw the Bill.

SHRI BHOGENDRA JHA: I withdraw the Bill.

DEFENCE OF INDIA (AMENDMENT) BILL

Amendment of Section 6

MR. CHAIRMAN: Now we will take up the Defence of India (Amendment) Bill (Amendment of Section 6) of Shri Somnath Chatterjee.

SHRI SOMNATH CHATTERJEE (Burdwan). Mr. Chairman, Sir, I beg to move:

"That the Bill to amend the Defence of India Act, 1971, be taken into consideration."

Sir, this Bill seeks to amend three clauses of sub-section (6) of Section 6 of the Defence of India Act, 1971. This was presented for consideration on the 25th of July, 1972. Nearly four years have elapsed. I can say with confidence that it has become more relevant and more timely now because of what we are seeing, namely, the deliberate and rampant abuses of the provisions of the Maintenance of In-

ternal Security Act by this Government.

Sir, I will shortly indicate the nature of the various provisions that were incorporated by Sub-Section 6 to some of the provisions of the Defence of India Act and the Maintenance of Internal Security Act.

With the proclamation of emergency in December, 1971, the Defence of India Act was promulgated and enacted by this Parliament. Some of the sub-clauses like (c), (d) and (e) of which I am asking for deletion, made certain alterations with effect from the date of the Defence of India Act in the Maintenance of Internal Security Act. As per the provisions of sub-section (6) of Section 6 of the Defence of India Act, the Maintenance of Internal Security Act shall have effect as if these amendments had been incorporated. That is, so long as the Defence of India Act remains in the statute-book or remains in operation, these amendments in the MISA would be deemed to have been there although temporarily. But, because of the developments which have since taken place in the country it has assumed more serious proportions so far as the provisions of the MISA and the DIR and DI Acts are concerned. That is why I am very much pressing this Bill. It appears that the hon. Members of the House do not seem to have much concern about personal liberty and I say it with a heavy heart. I request hon. Members to treat this Bill or view this Bill from the point of view of civilised system of Government and not from any narrow political point of view. You should leave alone politics for the time being when you deal with momentous measures like these. We feel, and I am sure, you will agree to this, that the minimum basic concept of justice at least of criminal jurisprudence is that nobody should be condemned unheard. There is no second opinion about this. He should not be punished without being told of the charges he is supposed to be guilty of. He should be given

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the opportunity to meet those charges. That is why our system of jurisprudence, as in various other countries, has laid down the principle for the prosecution to establish any charge of criminal nature against any particular person.

Therefore, we feel—we have always said that—that preventive detention is the very negation of all that is treated as a basic concept and cherished idea of personal liberty. I know that it will be said that our very Constitution itself provides for enacting laws of preventive detention. This is a worn-out argument. I am sure that the founding fathers of the Constitution could never dream that Article 22(5), (6) and (7) would be the ordinary laws of this country and not only that but they will also be given constitutional protection by their inclusion in the Ninth Schedule.

Sir, as I said on an earlier occasion, the Constitution of this country has been defiled by including a lawless law and a black law like this in the Ninth Schedule of the Constitution which was intended to be containing those legislations which were for the welfare of the people, which were for the betterment of the general conditions of the masses, toiling masses, and the rural people in the country. Those were laws which were intended to be protected from challenges by the vested interests. But, what has been sought to be protected now by a law like the MISA is now above all challenges under the Constitution Amendment. Is this a temporary law? Sir kindly remember this—Sardar Patel said that with a very heavy heart, he had to move the Preventive Detention Bill in Parliament in 1950 because those were the days of uncertainties. But, of course, I am not supporting that action. There were checks and balances. The greatest anxiety was shown by the then Home Minister in piloting this Bill when he said that he was doing it with a very heavy heart and he was helpless in presenting this Bill. This temporary measure

was renewed no doubt and upto 1968 it continued and then it lapsed. Again it has been brought in 1971. But, Sir, these temporary laws have now become permanent laws—they are not only permanent but they have been given a permanent shield by inclusion in the Ninth Schedule. Therefore, I cannot challenge this. I have no manner of doubt that the present Maintenance of Internal Security Act will not stand the scrutiny of the Constitution but for its inclusion in the Ninth Schedule. Once the emergency is over, it cannot last as a valid piece of Legislation in the country; I have no manner of doubt. Even the junior-most lawyer will get this law declared invalid. That is why you have given protection by including that in the Ninth Schedule. And that is why I say that my Bill has become more important by passage of time. Although the Constitution has provided for or contemplated passing of legislation providing for preventive detention, I am sure, no lover of civil liberty and no lover of personal liberty can possibly accept a law like that to be a permanent law on the statute book. Besides, this is not a law which has been kept in cold storage. Sir, this morning Mr. A. K. Gopalan was complaining that the Beedi Workers Conditions of Service Act has not been made effective for the last nine years.

But you have made this law effective and you are using it for your political purpose. I am charging this Government that this MISA is used for political purposes because you know that you are alienated from the hearts of the people. That is why today a citizen of this country does not even enjoy the liberty which the slaves in America used to do when slavery was there? Today I have no right to say that I am entirely free and that my freedom will not be taken away if I am really not guilty of any offence. But, my liberty depends upon the *ipso dixit*—*ipse dixit* of bureaucracy, *ipse dixit* by the motivated Ruling Party. I have 'no

time to quote. But all the rights that are in Articles 14, 19, 21 and 22 are taken away. What is my remedy if there is an abuse of power? Does the Government think or does any rational person think that the Government always does act rightly and there is no supercilious attitude on the part of any administration? Can it be said that they are never wrong? If you detain one person wrongly, that shows there is something basically wrong in the application of the law. Therefore, we have been demanding not only the proper use of it, if that law has to remain, but also the repeal of this law altogether.

As I had occasion to say earlier also, it appears that MISA has become the most hated word in this country. The people loathe it. They hate this word from the core of their heart, because the net of MISA has been spread so widely, so frequently and so comprehensively that it has become an engine of oppression. This means that you want to terrorise the people, you want to keep their voice shut. That is why I say that if there is not some check, some restriction, on the exercise of this power, personal liberty in this country will become, as it has become, a matter of grace to be dispensed by the executive and the ruling party.

17.36 hrs.

[SHRI ISHEQUE SAMHALI in the Chair]

You are aware—whether some of the members sitting on that side are able to admit it or not, I do not know—that not only at present but in 1971 it has been used against workers, trade unionists, government employees, teachers, students, journalists, lawyers and doctors. Nobody has been kept immune from the arm of this law. What is the position? If I am held under this, I am not even allowed to say "Tell me what I am supposedly guilty of, although I am not have an opportunity of facing the court. Tell me what I am guilty of—even that

you are not liable to say.

I was trying to remind myself of what happened in 1971. I was present when Shri Krishna Chandra Pant moved the Maintenance of Internal Security Bill in 1971. I find that this is what he said then. Shri Bhogendra Jha, who moved the earlier Bill, had asked for an assurance from Shri Pant that this Bill would not be used against workers etc. This was the reply that was given by Shri Pant.

"The first thing is that Shri Bhogendra Jha raised the point that the measure should not be used against workers, farmers and students. I appreciate the sentiment, I appreciate the spirit. I do not know whether I may add to the statement of objects and reasons at this stage. But as I said even earlier, I do not know if it can be done without an amendment and so on, but I can assure him and my friend, Shri Shashi Bhushan, that this Bill is not being put forward to suppress any legitimate movement of workers or farmers ...

THE DEPUTY MINISTER IN THE
MINISTRY OF HOME AFFAIRS
(SHRI F. H. MOHSIN) Legitimate

SHRI SOMNATH CHATTERJEE
"or students"—we shall come to it That is your only right.

"Shri Bhogendra Jha: You are not saying it seriously. Bring an amendment if you are serious

"Shri K. C. Pant: I am very serious, and I am saying it with all seriousness. It is a matter of record—what I have said. I said it in all seriousness.

"Now my hon. friend, Shri Manoharan, asked me a direct question. He asked 'Will you use it sparingly and not use it for political purposes?'. Again I would like to say, certainly it shall be our endeavour, to use this very sparingly and not

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for political purposes. I have made that point earlier also".

Every word of Shri Pant's has been repudiated. They have gone back upon every promise given to this House by the then Home Minister. Their repudiation of their promise and assurance is shameful and complete. I know what they mean when they say that it must be 'legitimate'. Legitimacy is your sole monopoly. Who does decide the question of legitimacy? It will be decided by the police constable, the inspector, a district magistrate or even you. Mr. Minister! You think you are above the law, you are the only arbiter of my fate. Whether I am honest or dishonest, whether I am acting legitimately or not—you are the only arbiter of that! There will be nobody even to question it. Today the law is that I cannot even question it. I would not know whether I am accused of illegitimate activity or not. Do not talk of legitimacy, MISA has today become the most convenient weapon in the hands of the power hungry-executive to terrorise people. They do not want to meet political opponents politically; they have forgotten all that. They want to meet political challenges by means of laws like this. They deal with them with liberal recourse to this barbaric uncivilized and draconian law.

This is not a Bill for amending MISA as such. I am asking for amendment of some provisions of the Defence of India Act which made considerable changes, temporarily though in the maintenance of Internal Security Act. But under this government that temporary phase will never go and nobody knows when emergency will come to an end. When MISA was first enacted, section 13 provided that the maximum period for which any person might be detained in pursuance of any detention order should be 12 months from the date of detention. When that clause came up for consideration, I find that Mr.

Kalyanasundaram had given notice of an amendment reducing that period to six months. While dealing with that amendment Shri Pant had this to say:

"The period has not been introduced by us as 12 months in this Bill for the first time. In the Preventive Detention Act of 1955 the maximum period of detention was fixed as 12 months.

Shri Kalyanasundaram: Are we still in 1950?

Shri K. C. Pant: We are continuing with that 12 month period; it does not necessarily mean that every detenu must be detained for 12 months; that is not the meaning. The maximum period is 12 months; it is left to the appropriate government to decide on the merits of each case the period upto which a man might be detained, subject to a maximum period of 12 months. That is the purpose. I do hope that there will not be many opportunities for this kind of thing that is being suggested, namely, a man is released and again immediately he is taken back and put in prison."

An assurance was given that the maximum period was 12 months and that it did not necessarily mean that the detenu would be kept without trial for 12 months. He may be released earlier also because of the procedure for advisory board review and all that. The proclamation of emergency came in 1971, when this was made, in a context which you all know and it was followed by the Defence of India Act, this House unanimously approved the proclamation of emergency in 1971 and you will remember that the hon. Speaker said: I am proud to be the Speaker of this House which has shown such solidarity and support at a time of real distress to the country. When there was real emergency, we all supported it but we are not going to support a spurious, make-believe, bogus emergency.

When that real emergency came, certain changes were made and they said that so long as that proclamation of emergency remained, the Defence of India Act would remain and for six months thereafter. So long as the Defence of India Act is in operation, the detention of a person under MISA, will continue. Therefore, the position is that if the proclamation of emergency continued till 1990 or 2000, a person in detention since 1971 will remain in detention for that period and for six months thereafter. We do not know how long it will continue. It depends on your sweet will. Then a man detained without trial in 1971 will remain in jail for years and years which is nothing but a life imprisonment. I say, Sir, that the Government has utilised that provision in the Defence of India Act which could only be thought of to have been brought into the Statute Book to meet the situation that had arisen in country in 1971 in the wake of Pakistani War. Now, that has become the regular feature of the Statute Book in this country. The Pakistani War lasted for 13 days. The great people of Bangladesh had succeeded, our Jawans had succeeded and there was no emergency then. Conditions became normal. The basis of proclamation of Emergency in 1971 at least actually came to an end, may not theoretically come to an end because it did not suit your purpose. But the law which was brought in 'the MISA' for the purpose of obviously meeting the defence requirements of this country has been continued and is being liberally and that has caused havoc in this country. Thereafter, the detention has become indefinite. Nobody knows what will be the period of detention. Sir, some challenge was made of the validity of this law before the Supreme Court. Of course, I am very unhappy, as a lawyer and as a citizen of this country, that the challenge fell. I will read out some of the observations made by one of the learned judges of the Supreme Court. That

was Justice Bhagwati's expression made at that time, although he was in minority. The judgment was given in Fagushaw case. It reads like this.

"We must remember that it is a constitution we are expounding—a constitution which gives us a democratic republican form of government and which recognises the right of personal liberty as the most prized possession of an individual. Shall we not then lean in favour of freedom and liberty when we find that it can be done without any done without any violence to the language of the constitutional provision? Shall we not respond freely and fearlessly to the intention of the founding fathers and interpret the constitutional provision in the broad and liberal spirit in which they conceived it, instead of adopting a rather mechanical and literal construction which defeats their intention?"

Then he goes on:

"—logically it would mean that 'maximum period' can be fixed with reference to the life of the person detained and if such maximum period is fixed, it would be open to the legislature to authorise detention of a person for the duration of his life. That would be a most startling and devastating result. It is impossible to believe that the constitution-makers who had themselves suffered long periods of incarceration at the hands of the British rulers should have become so oblivious of the need to safeguard personal liberty that they should have given carte blanche to the Parliament to permit detention of a person for life without trial. The power to detain without trial is itself a drastic power justified only in the interest of public security and order. It is tolerated in a free society as a necessary evil. But the

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power to detain a person for life without trial is something unthinkable in a democracy governed by the rule of law. It is a draconic power subversive of freedom and liberty and can have no place in our constitutional arrangement. To grant such a power would be to destroy the democratic way of life, to annihilate one of the most cherished values of a free society and to vest in the State authoritarian power which is the anti-thesis of the rule of law. It would rob the fundamental guarantee of personal liberty of all meaning and content and reduce it to a mere husk. It would amount to the Constitution telling all persons resident in the land, in the words of Bose, J:

"Here is the full extent of your liberty so far as the length of detention is concerned. We guarantee that you will not be detained beyond three months unless Parliament otherwise directs either generally or on your particular class of case; but we empower Parliament to smash the guarantee absolutely if it chooses without let or hindrance without restriction. That is not the point on which I am at the moment. I am saying that these are the views of the Supreme Court judges on a law like this.

Kindly see how liberally MISA was used even before the second emergency. These are the official figures and they do not include those detained for smuggling. Between 1st July 72 and 31st March 73 there were 4445 detenus. From 1st July 73 to 31st March 74 there were 3324 detenus. As on 31st March 74, there were 3384 detenus without trial. At least a thousand of them must have been in detention for more than one year. They could be detained for more than a year only because of the amendment

in the MISA by the Defence of India Act. After the second or duplicate emergency, we do not know how many hundreds or thousands are in jail. We are not even allowed to know the number. Our questions are not even admitted about the number of detenus. Previously there was some protection and some safeguard in the Constitution so far as MISA was concerned. Grounds had to be given. Advisory Board had to be constituted. There were provisions for review, for representation and for habeas corpus petitions where the court's jurisdiction was very limited. They could not go into the truth or otherwise of the allegations made in the grounds, but they could find out whether there was a nexus between the objectives of the law and the grounds of detention. Even within this very restricted field some relief could be given by habeas corpus petitions by the High Courts. When MISA was challenged on the ground of violating article 22, it was upheld by the Supreme Court because it provided some safeguards. In Haradhan Saha V The State of West Bengal, on the Supreme Court upheld the validity of MISA. On these grounds. The court observed:

"The constitution of Advisory Board observes the fundamental of fairplay and principles of natural justice. It is not the requirements of principles of natural justice that there must be an oral hearing—... As long as there is an opportunity to make a representation against the order of detention and as long as a representation is to be considered by the Advisory Board there is no unreasonableness in regard to the procedure. The duty to consider the representation does not mean a personal hearing or the disclosure of reasons. The detaining authority is under a duty to give fair consideration to the representation made by the detenu but it is not under a duty to disclose to the detenu any evidence or information."

The Supreme Court said, at least you have an opportunity, a right to make a representation and to be brought before an advisory board before whom you can put forward your views and they will have to give a fair consideration to this matter and come to a decision. Although this was a very minimal right and opportunity, even that is no longer there. The sole ground on which the Supreme Court upheld the MISA is gone. Knowing that it cannot any longer stand scrutiny of the court, they have put it in the ninth schedule. I challenge them to show what is the justification for putting a law like this in the ninth schedule except to make it above the law, knowing that it is not according to the Constitution of this country.

I will now read one more passage from the speech of Mr. K. C. Pant during the time when MISA was enacted:

"Adequate safeguards against arbitrary exercise of power have been built into the provisions of the Bill. I would ask Shri Vajpayee to make a note of this provision. I have already referred to the provision that detention by a subordinate authority will not be ordinarily possible beyond a period of 12 days and only in exceptional circumstances it can be extended to 22 days. These 12-22 days are inclusive of the time taken by the State Governments to approve or disapprove the initial detention order. We sincerely hope that it may not be necessary at all to invoke the exceptional provisions. Resort to exceptional provisions should be rare. Every case of detention except those of foreigners found in the aggravating circumstances I have referred to earlier would require to be referred to an advisory board within 30 days from the date of detention. Government is bound to release the detainee forthwith if the advisory board is of the opinion that this is no sufficient cause for

the detention of the person concerned."

The minimum safe-guards which Mr. Pant has said that you can be brought before the Advisory Board and the decision of the Advisory Board will be binding on the Government, that Advisory Board is abolished, I read further:

"I have also stated, while moving the Bill, that similar provision in the earlier laws have stood the test of judicial scrutiny. But if anyone has any doubt about any provision of the present Bill, nothing in this Bill would prevent him from again going in the highest court for a writ of Habeas corpus."

Now, the Attorney-General and the Solicitor-General of this Government are arguing before the Supreme Court that there is no right to live in this country, that there is no right of life, that there is no right to liberty. You cannot even go to the courts of this country for a writ of Habeas Corpus. They are arguing solemnly. Therefore, I submit that what Mr. Pant had assured to this House in justification of the provisions of the Bill that there would be an advisory board and, therefore, the Members should not have the view that it would be used in a manner which would be completely against the right of personal liberty, that is not there now. He said further:

"The Bill does not take away the right of the High Court to issue writ of habeas corpus. Article 226 is not at all affected, but it is an entirely different matter whether the writ will succeed."

Now, even the minimum right has gone. Now, somebody is detained, no grounds are given. There is no advisory board and no materials are to be given to the court in writ of habeas corpus according to the Government. Therefore, Sir, is this the life not worse

[Shri Somnath Chatterjee]

than a slave? This is all sought to be justified in the name of emergency.

The position to-day is that there is no fixed period of detention, with all the minimal safeguards being taken away. There is Mr. Justice Krishna Iyer of the Supreme Court—nobody would accuse him of being a judge who is a believer in vested interests or as one who had belonged to the vested interests.

समाप्ति हुई। अब : पाननीय सदस्य
अब अगले दिन अपना भाषण जारी
रखें। अब हम उठते हैं और सब
सोमवार को 11 बजे फिर बैठेंगे।

18 01 hrs.

*The Lok Sabha then adjourned till
Eleven of the Clock on Monday, March
20, 1976/Chaitra 9 1898 (Saka).*